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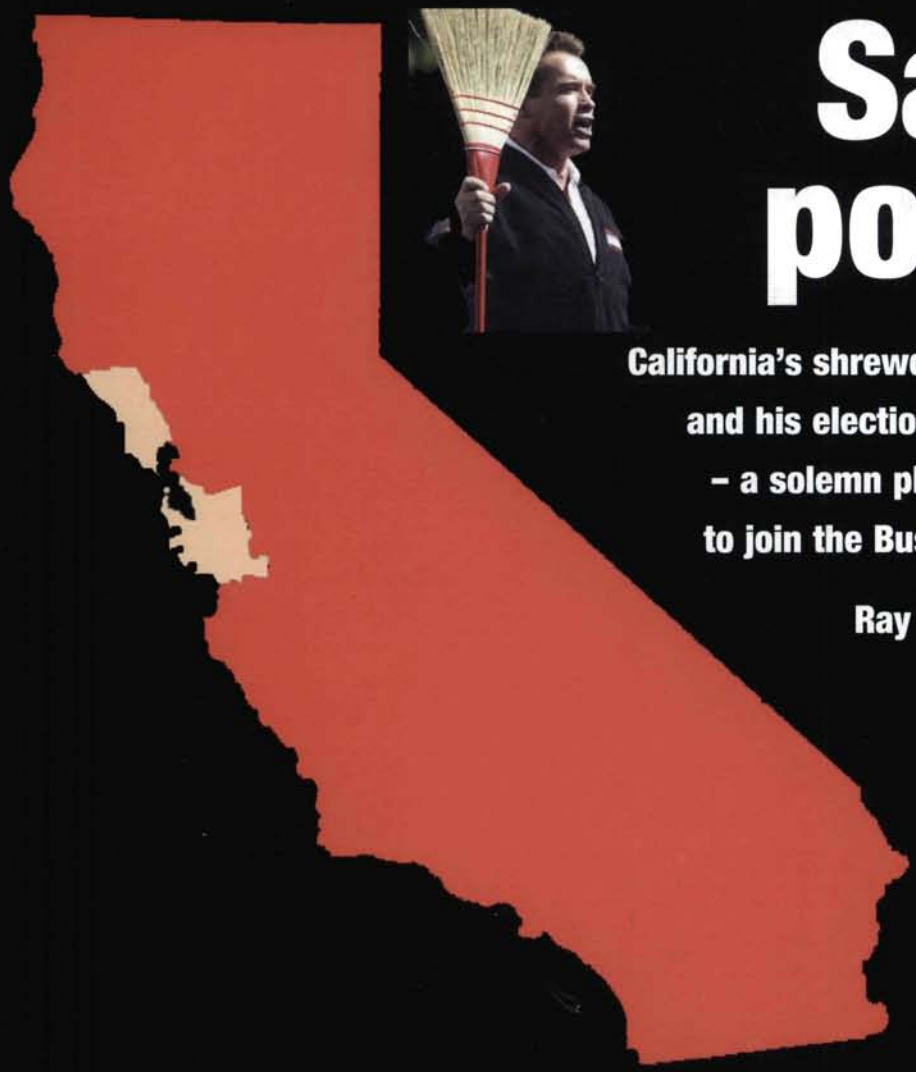

Savvy politico

California's shrewd governor betrays his Party and his election campaign centerpiece – a solemn pledge of no tax hikes – to join the Bustamante sub-minority.

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CORRESPONDENCE

The homosexual marriage fiasco

While most conservatives rightly decry the Supreme Court's normalization of homosexual marriage, none has yet seen the underlying cause. It's wake up time. Conservative outrage over this homosexual marriage fiasco ignores the real culprit, *the people themselves.* Homosexuals resort to the claim that "they're being discriminated against," which should alert conservatives, but hasn't. It should be obvious. In his opinion, the chief justice declared "any law that discriminates on the basis of sexual orientation will ... be constitutionally suspect in California in the same way as laws that discriminate by race or gender ...."

And who enacted this loose-gun "non-discrimination principle"? The people! The court majority's ignoring our culture's roots going back millennia is reprehensible but it was the "people" (with "conservative" support) who enacted the abstract "non-discrimination" idea back in 1964 and again in 1996 with their passage of California's Prop. 209. *They are at least as much to blame as the Court.* With Prop. 209, "the people" thoughtlessly gave them the idea.

Why conservatives continue to miss the boat on this is a puzzle. Congress's forbidding discrimination as to "sex" in 1964-5 amounted to misfeasance, yet younger stalwarts continue to flock with Ward Connerly in extending the anti-discrimination principle nationwide. Connerly in the 1990s was a reform liberal who believed decisions on employment and education should be made without reference to race or sex, yet conservatives buy it hook, line, and sinker. We should junk the sterile "non-discrimination principle" regarding sex.

W. Edward Chynoweth
Sanger

CPR *Editor John Kurzweil responds:*

Mr. Chynoweth says Prop. 209, with conservative support, ushered in a series of anti-family, anti-sanity (with regard to sexual identity) policies culminating in the recent judicial asssault on marriage. The people "are at least as much to blame as the Court," he writes — an unsustainable notion. If the people are to blame, it is more for having re-elected Ron George in 1996 without taking that election seriously. Prop. 209 is a step forward against government-sponsored racism, and is understood and supported as such by most conservatives who support both it and Ward Connerly, including me. I consider the ban on sex discrimination unfortunate, but a tolerable price to pay.

Our disagreement is that Mr. Chynoweth thinks the "sex" provision a disaster. I credit it with less destructive force. George and his America- and family-haters did not "get the idea" from 209. Undermining to destroy every healthy, politically-incorrect human institution has always been a central leftist goal.

The key issue here is the family. It is the left's target, and also the beneficiary of the discrimination Mr. Chynoweth wants to encourage (as do I) in support of the natural, differing roles of women and men within the family structure. Family, after religion, is the most important of our Western institutions for the defense of freedom, peace, and human dignity. It is the key to our retaining our humanity and the most important vehicle we have for educating new generations. But politics means winning what you can, when you can. Agreeing to support an anti-sex discrimination ban *aimed solely at state action* to win progress on state racism is not the same as "buying the non-discrimination principle hook, line, and sinker."

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SACRAMENTO SPECTATOR

Chanteuse Billie Holiday obviously had never watched California's budget struggles when she popularized the lyrics "Summertime and the living is easy." It most definitely is summertime here in the Big Tomato, but the living is anything but easy when it comes to passing a budget. As these pearls of wisdom are being written (the last week of August), the impasse may well be solved by the time you read this. Whether it is or not, the central dynamics that have brought us this far are worth reporting to you.

The Democrats, as expected, are demanding a solution based entirely on tax increases. They publicly parade a list of "painful budget cuts" they will support, but closer inspection reveals that they are nothing more than cuts in projected budget increases. The Democrats don't explain how a budget that contains painful cuts can total out $3 billion larger than the current budget. "New math" strikes again.

Republican legislators, as a nice surprise, are standing together and holding firm against any tax increases, and insisting on a solution based entirely on real budget cuts. Whatever the final result is, legislative Republicans' posture is absolutely essential to arriving at any budget compromise that would address such GOP concerns as a permanent spending cap. Their unity now will pay dividends when the last act of this drama is written, whatever it is.

Which brings us to the governor, and his strange aversion to making the GOP's spending cap proposal part of his own budget solution. Though he initially made noises about wanting a "permanent" solution to overspending, he apparently fails to recognize that the only solution that has any chance of actually being permanent is a spending cap put into the state constitution. Any other action, while it may paper over this year's deficit, would do nothing to keep the current situation from repeating itself endlessly into the future as long as the Democrats control the Legislature.

Only a spending cap put into the state constitution would have the power to prevent future legislators from overspending. Any other "solution" is, in reality, no solution at all, but just a very temporary remedy, rather like taking the drink out of the alcoholic's hand — and then going off for summer vacation — while leaving the alcoholic behind on his own recognizance, with 10 cases of whiskey in his basement.

Given that, his failure to join in supporting the Republicans' spending cap proposal in ACA 19 is difficult to understand. Of course a constitutionally-protected spending cap is to the Democrats and unions as a crucifix is to Dracula, so perhaps Arnold's post-partisan sensibilities won't allow him to embrace anything so hated by his post-partisan Democrat pals.

And that is sad, because a spending cap placed into the constitution would go a long way not only toward actually solving California's structural budgetary problems (I say this on the perhaps overly-sanguine assumption that the governor retains some interest in doing that) but would also be likely to attract the necessary GOP votes to pass a budget.

Fascinating is the word for watching this play out, and my pledge to you is to continue *Spectating* my little heart out, no matter how many parties, *soirees,* and saloons I must visit to do so. Stay tuned.

— A.P.C.

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The Working Press

A 'visiting visigoth'?

Sam Zell remains the whipping boy (and the customers are still ignored) at the Los Angeles Times.

GEORGE NEUMAYR

HAROLD MEYERSON, the *Washington Post's* resident unreconstructed leftist, calls Sam Zell, owner of the *Los Angeles Times,* a "visiting visigoth, whose civic influence is about as positive as that of the Crips, the Bloods, and the Mexican mafia." This sort of frothing about Sam Zell has become commonplace on the left. He is now their whipping boy for the sins of the "corporate media." Perhaps he was foolish to buy the paper, but its problems predate him.

Zell's employees, however, are in no mood to consider calmly the vicissitudes of the newspaper industry for which he is not responsible. Disgruntled staffers at the *Hartford Courant,* one of the other papers Zell owns, recently engaged in a morbid ritual at his expense: sacked staffers feasted on a cake emblazoned with his photo and a quote from him saying "I do not believe that anybody can grow a business by reducing the number of employees." According to *poynter.org's* Jim Romenesko, "A *Courant* staffer couldn't resist poking Zell's eyes out — on the cake, of course."

Meanwhile, peeved staffers in Los Angeles unfurled a banner off the paper's garage exterior in late July that said, "Zell Hell: Take back the *Los Angeles Times."* Zell has cut hundreds of jobs at the paper, explaining that "We're looking at some of the worst advertising numbers in the history of the world."

Former *Los Angeles Times* staffer Kit Rachlis, who now edits *Los Angeles Magazine,* pronounced 2008 the "year the *Los Angeles Times* died." Rachlis says "I don't think the paper will fold between now and December," but "I do fear the paper will be so diminished, so crippled, that the chance of saving it will have slipped away. I'm aware that there are residents in L.A. who are cheering this prospect. The *Times* engenders more hostility than any daily paper I know of; in the view of its critics, the *Times* is an arrogant, liberal behemoth that deserves whatever fate befalls it." Rachlis adds that Zell's ultimate goal is to pare the paper's circulation down to 500,000 and cut its staff in half. Zell is certainly living up to his reputation as a hardheaded businessmen with little to no interest in the pieties of major media journalism. Reporters naturally consider him a dangerous eccentric and pine for the days of their *old* eccentric, Otis Chandler. Nostalgia for his pompous conception of the paper as the *New York Times* of the west breaks out almost daily. After Zell axed the book review section several months ago, the wails of Chandler nostalgia grew particularly loud.

What's most galling is that Zell has decreed that *Times* reporters produce more pieces — a move that he made after noticing that the output of *Times* staffers is anemic compared to the output of his reporters at other papers.

Zell's auditing of the efficiency of *Times* reporters led Meyerson and the *PBS NewsHour,* among others, to wax nostalgic for the leisurely national and foreign news coverage the *Times* enjoyed under Chandler.

"He and other news media owners are conveniently losing track of the value [of] in-depth and investigative reporting taking months and sometimes years to root out corruption in government and in the corporate world, a crucial ingredient of the fourth estate or the watchdog aspect of journalism," said *Editor & Publisher.*

IT IS informative that *E&P* notices "corporate" corruption, but apparently not corruption within such Democrat constituencies as Big Labor, especially public employee unions — which do not fall under careful scrutiny even when journalism indulges its "watchdog aspect" regarding government

George Neumayr is California Political Review's *press critic.*

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THE FRONT LINE

Reagan Democrats abandon Obama. The Gallup Poll reported significant slippage in support for Democrat presidential nominee Barack Obama among self-identified "conservative" Democrats on the eve of the Democrats' national convention. "The 63 percent of conservative Democrats supporting Obama over McCain in Aug. 18-24 polling is the lowest Obama has earned since he clinched the Democratic nomination in June," Gallup reported.

As a result of this, "support for Obama among all Democratic registered voters fell from 81 percent in early August (Aug. 4-10) to 78 percent last week (Aug. 18-24) .... The 78 percent of Democrats backing Obama from Aug. 18-24 ties for the lowest seen since early June."

The 1980 presidential election of Republican Ronald Reagan marked an historic realignment, especially in the "old south," as the popular conservative candidate overcame traditional Democrat opposition to the GOP "label" by attracting like-minded Democrat voters on the basis of a shared philosophy of government, an area of increasing stress for many Democrats who had seen their Party move ever further left during the 1960s and '70s. Another subgroup of these "Reagan Democrats" includes Catholic voters, again traditionally registered Democrat but enduring growing strain within their home Party over key social issues, especially those involving the right to life, religious freedom, and the family.

Republican candidates have enjoyed varying degrees of success in holding these "Reagan Democrats" as a permanent part of their electoral coalitions. Movement now away from Obama comes at a time abortion has re-emerged as a potential key issue in the Obama/McCain presidential campaign as it moves into its crucial fall pre-election phase.

Possibly reflecting disappointment that Hillary Clinton was passed over for the Party's vice presidential nomination, Obama's support among American women — for many cycles a solidly dependable category of voter for national Democrat candidates — continues to fall. "Between Aug. 4-10 and Aug. 18-24," Gallup reported, "the percentage of married women backing Obama fell from 46 percent to 39 percent, while support from unmarried women fell from 58 percent to 55 percent. At the same time, there has been no decrease in the percentage of married or unmarried men supporting Obama."

Catholic leaders denounce House Speaker's Catholic/abortion remarks. House Speaker Nancy Pelosi told a national TV audience the Catholic Church had not decided when life begins. "[O]ver the centuries, the doctors of the church have not been able to make that definition .... St. Augustine said at three months .... I don't think anybody can tell you when life begins." Pelosi's comments brought severe rejoinders. Archbishop Charles J. Chaput (of Denver, the Democrats' convention city) said "Pelosi is a gifted public servant of strong convictions and many professional skills. Regrettably, knowledge of Catholic history and teaching does not seem to be one of them."

Washington, D.C. Archbishop Donald W. Wuerl said the Church's teaching that "Abortion is the destruction of a human life .... has not changed." Cardinal Justin F. Rigali and Bishop William E. Lori of the U.S. Bishops' Committee said "... the Church teaches that from the time of conception, each member of the human species must be given the full respect due to a human person, beginning with respect for the fundamental right to life."

Poizner to address 2008 Western Conservative Political Action Conference. Insurance Commissioner Steve Poizner will speak at the October 10-11 "Western CPAC conference at the Radisson Hotel in Newport Beach. Info: *www.westerncpac.com.* CPR

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(another constituency given light notice is, of course, the vast apparatus of bureaucracy in government). Given this one-sided idea of the "watchdog" role, it is perhaps unsurprising that the major media cast the changes at the *Times* in terms of a larger conflict between "journalism for democracy" and "journalism for profit." Perhaps Zell does want to dumb down the paper, but who really cares when its old "journalism for democracy" was so rife with bias and misinformation? A simpler, less pretentious *Times* would probably do less damage.

THE *TIMES*' customarily unwieldy investigative pieces, which supposedly were so essential to the commonweal, often proved useless, unreadable, and, as in the case of its forgery fiasco in March after a months-long investigation into the "hip-hop world," dangerously false. Providing readers what they don't want to read while shielding them from news they *do* want to read appears to remain the *Times* formula. Witness its news blackout on the John Edwards affair, a true story from which the major media politely averted its gaze until the *National Enquirer* embarrassed them into covering it. The *Times* banned its reporters even from talking about the story on the paper's blogs. In late July, a memo from editor Tony Pierce surfaced:

> Hey bloggers,
>
> There has been a little buzz surrounding John Edwards and his alleged affair. Because the only source has been the *National Enquirer* we have decided not to cover the rumors or salacious speculations. So I am asking you all not to blog about this topic until further notified.
>
> If you have any questions or are ever in need of story ideas that would best fit your blog, please don't hesitate to ask.
>
> Keep rockin,
>
> Tony

Once again the *National Enquirer's* accuracy rate proves competitive with, if not better than, the major

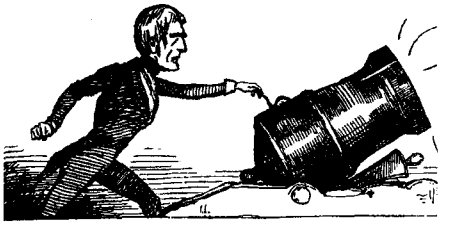
WHAT YOU HAVEN'T BEEN TOLD ABOUT GUN CONTROL

By SAM PAREDES

The U.S. Supreme Court's June 26, 2008, *D.C. v. Heller* opinion marked an historic day for American gun rights, striking down the D.C. handgun ban and trigger-lock requirement and, in dissenting Justice Stephen Breyer's words, threatening "to throw into doubt the constitutionality of gun laws throughout the United States." Visibly upset, Dianne Feinstein said *Heller* left her "profoundly disappointed."

The High Court followed our (Gun Owners of America's) urging, rejecting any balancing of governmental powers against individual liberties. It ruled the ban is prohibited by plain Second Amendment language that elevates above all other interests the "right of law-abiding, responsible citizens to use arms in defense of hearth and home."

The Court *did* say its opinion should "not be taken to cast doubt" on some prohibited persons' restrictions, "gun free" school zones, and dealer licensing requirements. This *dicta* implies that future courts might try to uphold some unconstitutional gun restrictions. Still, the Court's opinion flatly denies what anti-rights advocates (*i.e.,* the Brady Campaign) have said for years. So we welcome this opportunity to fight for the people's right to keep and bear arms. Gun Owners of America is preparing constitutional challenges to a range of federal, state, and local laws that violate the Second Amendment as endorsed in *Heller.*



And ... we are confident that many California laws now on the books conflict with the decision, and so are subject to challenge, including the ban on so-called assault weapons, the "safe handgun" law (permitting California sales of only politically correct handguns), and several others.

Do you want to be a part of history? Make a tax deductible contribution to the Defend Our Guns (DOG) Fund at: *http://www.gunowners.comdogfund.htm.* Contributing to this DOG Fund will allow our committed, courageous legal team to make all Justice Breyer's fears come true. CPR

Sam Paredes is executive director of Gun Owners of California.

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media's. Edwards had to admit in August that the *National Enquirer* nailed him. *Slate's* Mickey Kaus, a perceptive critic of the *Times*, asked in July:

> Is the *Times*' edict a) part of a double-standard that favors Democrats (and disfavors Republicans like Rep. Vito Fossella and John McCain?) Or does it b) simply reflect an outmoded Gatekeeper Model of journalism in which not informing readers of certain sensitive allegations is as important as informing them — as if readers are too simple-minded to weigh charges that are not proven, as if they aren't going to find out about such controversies anyway? I'd say it's a mixture of both (a) and (b). This was a sensational scandal the *LAT* and other MSM papers passionately did not want to uncover when Edwards was a formal candidate, and now that the *Enquirer* seems to have done the job for them it looks like they want everyone to shut up while they fail to uncover it again ....

This story happened in the *Times* backyard — Edwards was nabbed visiting his old mistress at the Beverly Hills Hotel (she was a paid campaign staffer) — yet the *Times*, as in the case of the Villaigrosa scandal, couldn't lower itself to cover it.

Is it any wonder that the Chandler model for the *Times* — in which reporters covered only those stories their elite friends found newsworthy — has become obsolete? Zell is as odd as Chandler, but he can at least see that nothing is more eccentric than a newspaper that treats it consumers with contempt. CPR

Those in power over us

Why the nation's forests are burning so hot

Environmentalists' human-hands-off approach works not to control fires, but to harrass people.

M. DAVID STIRLING

Northern California's recent 2,000 lightening-sparked wildfires consumed some 900,000 acres of forests, woodlands, and brush, destroyed more than 240 homes and other structures, and forced thousands of homeowners to evacuate. More than 22,000 federal and state firefighters, together with 2000 California National Guardsman and 2500 state prison inmates, battled the blazes. The estimated fire fighting costs alone exceed $320 million. And as I write this column, a wildfire threatens one of our nation's treasures, Yosemite National Park.

M. David Stirling is vice president of Pacific Legal Foundation (http://www.pacificlegal.org) a nationwide public interest legal organization working in the courts to defend private property and environmental balance. He is author of the new book, Green Gone Wild – Elevating Nature Above Human Rights *(http://www.greengonewildbook.com).*

To understand how we became so vulnerable to such devastating wildfires, an historical examination of the government's approach to managing federal forest lands helps, including the fighting of wildfires. In 1910, after a thousand wildfires came together and consumed three million acres of national forests in Idaho and Montana, Congress declared war on wildfires as the enemy destroying the nation's forests. For the next 80 years, Congress funded and encouraged the suppression of every wildfire as aggressively as possible. Fire fighting became a culture of warriors; specialized firefighting crews became "hot shots" and "smokejumpers."

In the 1950s, federal and state forestry agencies began deploying aircraft to drop chemical fire retardants on fires, while on the ground bulldozers performed critical fire suppression functions during and in advance of wildfires. This aggressive fire-fighting ap-

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proach diminished annual national forest acreage destroyed by wildfires from between 40 and 50 million acres in the early 1930s to about 5 million acres in the 1970s. Between 1994 and 2001, an average of 10,000 wildfires per year were fought in national forests. However, with the emergence of the 1960s' environmentalist movement and its growing public influence over the next three decades, both presidential administrations and Congress came to view management of the national forests differently. Commercial logging replaced wildfires as the nation's forests' primary enemy.

During the Clinton-Gore administration, forest management practices underwent an even more drastic change. In 1994, at the behest of environmentalist organizations such as the Sierra Club and the National Audubon Society, 25-million acres (39,000 square miles) of federal forests in Washington, Oregon, and Northern California were put off limits to commercial timber harvesting to protect the habitat of the northern spotted owl, a "threatened" species under the Endangered Species Act. A lack of old-growth trees was blamed on the harvesting and consequently blamed for the threat. That meant more than 85 percent fewer trees were harvested in 2007 than in 1990 on federal lands, over-crowding these forests that much more. (Ironically, a few years after the 25-million acres were set aside to protect the northern spotted owl's habitat, it came to light that a predator owl that had migrated from the Midwest, not the lack of old-growth trees, was causing the northern spotted owl's drastic decline.)

IN FURTHER response to the environmentalist lobby, the Clinton administration greatly expanded "wilderness areas," where humans were unwelcome, and closed hundreds of miles of national forest roads long used by firefighters to reach isolated wildfires. Salvage timber sales — where timber companies are allowed to sell (for profit) fire-killed trees (and future fire-starting fuel) in return for cutting and removing them from the forest — were terminated. As timber companies closed due to the prohibition on logging, thousands of timber families that historically had taken care of the forests that had always been their homes left to find other work.

Due to minimizing the mechanical-thinning approach to forest management, the national forests soon saw a thick overgrowth of underbrush, becoming overfueled with dead or dying trees. They also became less accessible to fire fighting crews. And even prescribed

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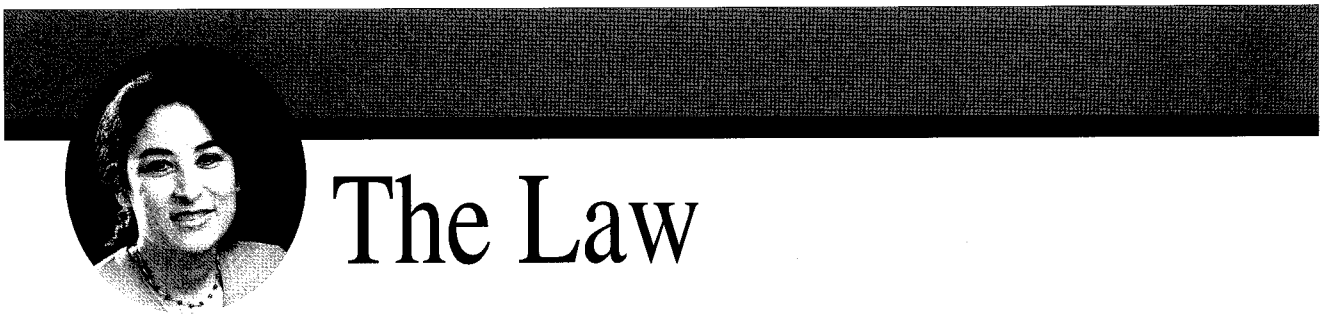
burns – the only type of "clearing" accepted by the environmentalist lobby – became too risky because the high tree density makes fires too hot and uncontrollable. The General Accounting Office in 1999 warned that the accumulation of this highly combustible fuel on the forest floor would lead to more forest acreage lost to wildfires, but the environmental lobby responded that forest fires are natural and should be allowed to burn without human intervention.

As predicted, wildfires took a remarkable jump. For example, in 2000, 8.4 million forest acres burned; in 2002, 6.9 million acres were destroyed, as were 800 homes, and 23 firefighters lost their lives needlessly. In 2003, Southern California's devastating fires reduced 750,000 acres and 3,500 homes to ashes, while 22 civilians lost *their* lives.

The environmentalists' human-hands-off approach is the most bizarre aspect of a movement filled with contradictions. Professing to care about protection of the forests and the species, while simultaneously opposing the suppression of fires that destroy *both* the forests *and* the species — not to mention humans — is difficult to comprehend from a commonsense or scientific perspective. Although the bipartisan-supported Healthy Forest legislation changed Clinton's ill-advised forest management approach, incessant lawsuits by litigious environmentalist organizations have stymied much of its effect.

As long as the politically influential environmentalist organizations – "those in power over us" — are allowed to dictate the nation's forest management policy, the losses caused by wildfires, and the escalating costs of fighting them, as in the recent Northern California fires, will only increase. CPR



The Law

Home schoolers give court decision an 'A'

Facing an avalanche of argument against its initial holding, appellate Court reverses course.

ANNE M. HAYES

California's home schooling parents can sheathe their sharpened pencils .... at last! February 28 the California Court of Appeal, Second Appellate District, unwittingly unleashed a firestorm when it ruled most home schooling unlawful. Now (in early August), the Appeals Court has quashed that fire by revisiting its own decision and upholding the validity of home-schools by labeling them "private schools."

For home-schooling parents, the original February decision threw down the gauntlet on an issue that has been knocking around the California education system for years. Home-schooling has existed in a sort of netherworld of legality. Indeed, at one point, a former state superintendent of public instruction threatened to pursue home-schooled children as truants. But everyone has played along, sort of: now and then, one would hear little snippets from the educational establishment about home-schooling being unlawful (at worst) and anti-social (at best). And home-schooling organizations issued all sorts of legal opinions and issue papers with which home-schooling parents could arm themselves whenever challenged.

But in February the Court of Appeal held that home-schooling parents fall under a statute related to "private

Sacramento resident Anne M. Hayes is a home schooling mom and a former attorney with Pacific Legal Foundation (www.pacificlegal.org). The Foundation submitted a brief on behalf of Hayes and her husband supporting parents' right to homeschool their children.

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Home schooling and the Constitution

by Damien M. Schiff

The August 8 California Appeals Court ruling in Los Angeles upholding home schooling's legality relied on state law, but it should be noted (as Pacific Legal Foundation did in its brief to the Court) that the U.S. Constitution provides solid protection for home schooling families, regardless of whether or not state law provides them such support.

The U.S. Supreme Court has long interpreted the Constitution as protecting parents' rights to direct and oversee their children's education. More than 80 years ago, the Supreme Court noted, an opinion in a case challenging an Oregon law requiring all children to attend public schools held that "[t]he child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."

Since then, the nation's High Court has continued to emphasize the state's obligation to defer to parental decisions. As Justice Sandra Day O'Connor held in a case from the Supreme Court's 2000 term, "[T]he Due Process Clause does not permit a State to infringe on the fundamental right of parents to make child-rearing decisions simply because a state judge believes a 'better' decision could be made."

This constitutional right coincides with what's best, in a practical sense, for individual families — and, ultimately, for the education system as a whole. Excellence is best served when parents are given more choices and more options. Experience shows that home schooling works and that public schools don't

(Please turn to page 16)

Pacific Legal Foundation Attorney Damien M. Schiff submitted a brief to the Court of Appeal opposing its February 2008 initial ruling outlawing home schooling for non-credentialed parents. Schiff called the earlier ruling's August reversal "a great victory for all California families." See PLF's brief (linked at www.pacificlegal.org).

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tutors" who are explicitly required, by statute, to hold a valid state teaching credential. The decision unleashed a tremendous reaction and brought out in public a legal debate that has been stewing for years. In a way, you have to feel a little sorry for the Court. The case arose out of a very personal matter dealing with the legal custody of minor children; indeed, many facts of the case were under seal. The case itself was not on anyone's radar screen, least of all home-schooling organizations. The Court probably had no idea it would awaken a sleeping giant.

About 166,000 students, or roughly 2.5 percent of California's school-age children, are home-schooled. This follows a growing national trend of parents dissatisfied for one reason or another with state public instruction and who either cannot afford or dislike the private school options available to them. For my husband and me, the decision to homeschool is about our concern for educational standards and imparting our values to our children.

California parents who have chosen to educate their own children are willing to undertake this responsibility despite its legal ambiguity. That takes some conviction. No wonder they reacted strongly. The *amicus,* or "friend of the court," briefs supporting home-schooling were many, and these parties were represented by some of the nation's big-hitter law firms and legal organizations. The Court never had a chance.

While some people suggested the Court's revised opinion was an attempt to put the genie back in the bottle, that opinion rests on statutory grounds. Clearly, the California Legislature has left enough loose language lying around over the years to allow the Court to state convincingly that state law sanctions home-schooling (never mind legal precedent or the Education Code). But the Court's analysis is a little disturbing all the same because it lays bare the Legislature's failure to acknowledge and address the home-schooling option.

And many home-schooling parents probably prefer it that way. We now have the best possible result: legal precedent established in favor of home schooling and free from overbearing state regulation. CPR

A Closer Look

How do you tell a conservative from a libertarian?

It is mistake to categorize libertarianism as some variety of conservatism.

MICHAEL S. FREDENBURG

Ayn Rand died in 1982 at the age of 77. Appropriately, at her funeral a six foot dollar sign made of flowers was prominently displayed next to her coffin. Her influence cannot be overstated and two of her novels, the *Fountainhead* and *Atlas Shrugged* are arguably two of the most influential books written in the 20th century, having been read by millions.

That libertarian ideology has become popular is hardly surprising. We live in a country whose government over-regulates us, over-taxes us and wastes countless billions of our hard earned tax dollars every year. Government collectivists have figured out ways to steal our property through zoning laws and the illegitimate application of eminent domain. Leftists have even created a whole new Orwellian class of crime – thought crimes — as instantiated in "hate speech" and "hate crime" legislation. They have made it clear that they want to take away our right to bear arms. The public schools primary mission now seems to be to produce politically correct global citizens ready to do battle against global warming.

Since real conservatives and libertarians do share

Michael S. Fredenburg covers social issues policy and politics for California Political Review.

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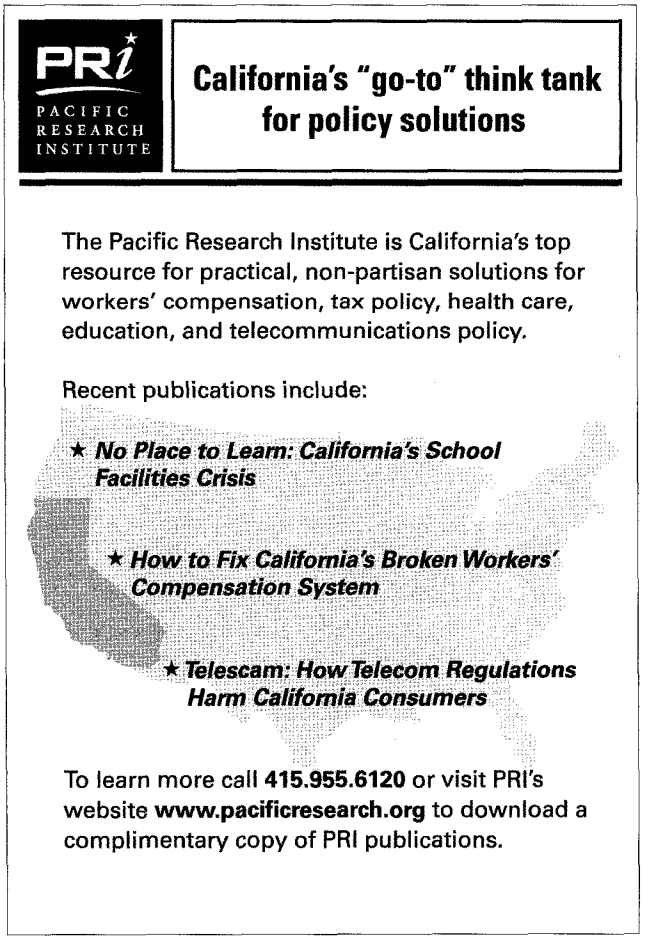
concerns about the state of our country and its slide toward socialism and creeping fascism, it is not surprising they often find themselves working together. However, it is mistake to categorize libertarianism as some variety of conservatism. Nothing could be further from the truth. First and foremost conservative philosophy finds it roots in the Judeo-Christian tradition; and its understanding of the relationship between man and God, *i.e.* man being the created and God being the Creator. So while conservatives emphasize that the value of the individual comes from God, libertarians see the individual as self-validating. Whereas conservatives believe in altruism, Ayn Rand's John Galt (*Atlas Shrugged's* protagonist) taught that altruism is actually a great evil and selfishness is the ultimate good. Furthermore, conservatives recognize that although God made man (male and female) in His image (the *Imago Deo),* that image is fallen. Conservatives also recognize that we are accountable to God in how we live our lives and how we treat other people. Perhaps the most succinct summary of the difference between true conservatism is that conservatism is God/other-centered, and libertarianism is self-centered.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Our Founding Father's wisely recognized that it is the Creator that endows us with our rights, not the government or any other human institution. In recognizing this truth they tapped into the reality of what it means to be made in God's image. However, because the majority of the Founding Fathers were unwilling to extend these principles to the slaves living in the United States, they also illustrated in part what is meant by the term "fallen image." As all human beings are fain to do, they fell short in completely grasping what God desires for his creation.

Conservatives, having a firm grasp of the fallibility of human nature, are anti-utopian and understand that attempting to create a utopian society is a dangerous exercise in extremism. Consequently, conservative ideology is realistic when it comes to public policy. Conservatives believe in individual rights, but they also believe that good public policy must balance the rights of the individual with what is good for the general society. Conservatives recognize the need for government, but also believe that government should be severely limited in its scope and size. Conservatives realize that good government requires providing for some kind of basic social safety network, but understand that such a network must also be limited in nature. Conservatives see value in rugged individualism, but reject radical individualism. Conservatives see the "Free Market" and "Free Trade" as interesting and useful academic concepts, but realize that in the real world they are institutions composed of corruptible humans that need regulating just as all other human institutions do.

Most conservatives will have no problem accepting most of the above characterization of conservatism, but the last sentence, the one that talks about "Free Market," "Free Trade," and "regulated," may give some pause. I mean we are talking about the Free Market that if left unfettered, inevitably and efficiently allocates capital, turns selfishness into virtue, and ultimately induces people to make choices that provide the greatest benefit for themselves and their fellow man. If you didn't recognize it before, the previous statement is as utopian as any ever uttered by the most committed communist. The above is commonly preached by libertarians, and an alarming number of self-identified conservatives.

This is not some mere academic argument as the United States faces serious issues that will require clear-headed, non-utopian thinking to address them. Since 1974 we have seen the trade deficit reach a cumulative total of nearly $9 trillion dollars (2007 dollars). Chi-

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na's highly documented currency manipulation amounts to a 40 percent subsidy of their export industry; and this subsidization along with other blatant acts of economic warfare have resulted in a massive loss of U.S. manufacturing jobs. According to an Economic Policy Institute study, between 2001 and 2007, 2.3 million American jobs were lost to China, including 366,000 last year. Most of these jobs were manufacturing jobs – jobs that have double impact on the economy relative to a service sector job.

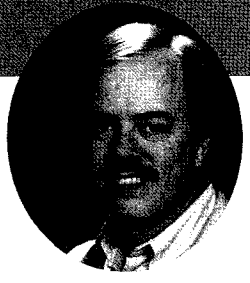
During this same period of time, first quarter 2001 to fourth quarter 2007, we saw U.S. public debt and household debt grow by more than $10 trillion, while GDP grew by just $4 trillion, about 2.4 percent a year on average. Meanwhile, China's GDP grew at an average of more than 8.5 percent during the same period. Has this massive increase in deficit spending at both the private and public level played a role in creating the illusion of a robust economy, effectively glossing over real problems with current economic policies?

The response to those questioning U.S. trade policy with China has been to label them as protectionists and then talk about the terrors of trade wars and, oh, by the way, we don't want another Smoot-Hawley Tariff Act — do we? Looking further you can actually find numerous academic papers from libertarians and their allies arguing that trade deficits are actually good. So the bottom line is that we have not had any real trade wars because the United States has pretty much unilaterally disarmed when it comes to trade issues. Even doing something about China's currency manipulation is being opposed by the so-called free marketers. Just as they have opposed holding China accountable on its 160-plus dumping violations. That the current trade situation in the world does not even come close to "real" free trade does not deter them. Paradoxically, that is also a characteristic of the utopian mindset.

Inevitably this utopian view of the omniscient, omnipotent, omnipresent Market has found its way into the debate on immigration reform, with the *Wall Street Journal* firmly advocating open borders — proving that you don't have to be a professor at Harvard or Yale to live in the Ivory Tower.

Yes, the market in the context of a reasonably just legal system, in the context of a society influenced and leavened by Christian values and principles, can be part of creating some pretty amazing things and a pretty awesome standard of living. However, real conservatives know big government will not lead us to utopia; and neither will unleashing unregulated market forces.

Lastly, as a conservative I would be saddened at the thought that my friends and family would think a dollar sign at my graveside was the ultimate tribute to my life. CPR



The fusionist

Buchanan's misguided campaign against free markets

A recent look at Mr. Buchanan's website finds him spouting foolishness worthy of Daily Kos.

JOHN KURZWEIL

THERE WAS a time when I thought Pat Buchanan was Ronald Reagan's heir apparent. At his best moments, he came close to Reagan's eloquence and seemed to hold with clarity and conviction, as Reagan had, the essential elements of early conservative leader Frank Meyer's "fusionist" conservatism — a combining of the movement's traditional and anti-statist elements. Somewhere along the line, though, Pat blew a gasket, throwing away his chance (and ours) to see the movement continue in the successful course Reagan had charted. Well, I can't blame Pat for wanting to be Pat, but it's still, for me, a sad one of those what might have beens.

A recent look at Mr. Buchanan's website *(http://*

John Kurzweil is editor of California Political Review.

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Adam Smith

buchanan.org), finds him spouting foolishness worthy of *Daily Kos:* "Free trade is the serial killer of American manufacturing and the Trojan Horse of World Government. It is the primrose path to the loss of economic independence and national sovereignty. Free trade is a bright shining lie." A little later, oddly enough, Mr. Buchanan avers that "If America is about anything, she is about freedom." I say worthy of *Daily Kos* for the sheer uncaring innocence with which Mr. Buchanan parades his ignorance (or preference for pretending ignorance) of basic economics. It is now more than 60 years since conservative economist Henry Hazlitt told us all we need to know about free trade in his landmark book *Economics in One Lesson* (of course, Adam Smith had given the same last word in 1776, in *The Wealth of Nations:* "In every country it always is and must be the interest of the great body of the people to buy whatever they want of those who sell it cheapest. The proposition is so very manifest, that it seems ridiculous to take any pains to prove it; nor could it ever have been called in question, had not the interested sophistry of merchants and manufacturers confounded the common sense of mankind.")

UNDOING MEYERIST FUSION

Mr. Buchanan seems to have taken it upon himself to resurrect the divisions that plagued America's early post-World War II conservative movement, divisions that had to be overcome before the movement could graduate into the political leader of the nation it has become today. Historian George Nash, in his must-read book (for conservatives who would be informed about the roots of their movement) *The Conservative Intellectual Movement in America Since 1945,* described the situation that then prevailed, and how Frank Meyer acted as catalyst to overcome it. "According to Meyer," Nash wrote (in his paperback edition, 1998, p. 160), "the American conservative movement was the victim of a tragic 'bifurcation' of the Western tradition in the nineteenth century. On one side were the authoritarian conservatives, rightly concerned for virtue and order but wrongly willing to use government to achieve their ends. They confused the moral and political realms. On the other side were the classical liberals, commendably devoted to the limited state, the autonomous individual, and the free economy. But they were increasingly indifferent to the 'organic moral order' and unable 'to distinguish between the *authoritarianism* with which men and institutions suppress the freedom of men, and the *authority* of God and truth."

THE SOLUTION, of course, was for everyone involved to examine their first principles, find their many points of common ground — really that there is no inherent disagreement separating the two camps (I am speaking of sincere lovers either of the Western Tradition or of human freedom) — and work together. Don't get me wrong. I am one hundred percent in favor of lively debate about first or any other principles — that's how intellects and intellectual movements advance, and it is a lot of fun to be part of any such genuine clash of ideas. But we seem now to be seeing a sharp upswing among conservatives in supplies of a commodity that might be called the "Buchanan Spirit": that is, the bad habit of arguing for argument's sake, not about real disagreements but as a source of amusement or diversion, in the mode of a "contact sport," to borrow one of Mr. Buchanan's phrases. That sort of thing advances nothing; merely squandering energy and opportunity.

Frank Meyer

However, taking various complaints about free markets, such as Mr. Buchanan's about free trade, from conservatives of the traditionalist variety at face value and thus assuming they represent sincerely held convictions, I hasten to say what is plain to anyone who studies: that economic freedom delivers the greatest material good for the people of any "system" ever invented, and that any regulation *on economic grounds* of the economy and the market is misguided (except, of course, for that which outlaws theft, violence, and other traditional crimes). This is a matter of record, recorded so many times over and again that it is properly considered a law of life, not a matter for serious debate. It's economics 101: nothing outdoes freedom in benefiting humanity in material matters. It may be irksome and wanting in many ways, but is of the same order as is democracy, which Winston Churchill called "the worst form of

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government ever invented, except for all the others."

My disagreement with my fellow conservatives usually stems from the idea that a free market economy is some sort of planned approach to a state or national economy, like socialism or corporate fascism, that must be justified in terms of its stated objectives and shown not only to be delivering what it is intended to deliver, but doing so better than some alternative planned arrangement. But a free market economy is not such a planned approach. It is merely the economic aspect of freedom: what a free society looks like when you look at its economic activities. Thinking of free markets as pre-planned "systems" (which Karl Marx invented the spurious term "capitalism" to suggest), presumably constructed purposely to serve certain socially beneficial ends, mistakes its very nature and leads us to expect far more of them than it makes any sense to expect.

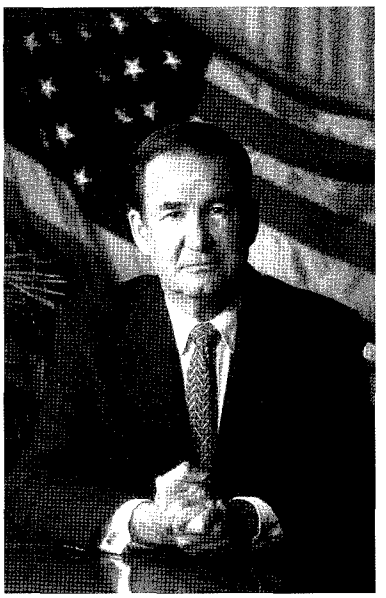
What should we expect from a free economy? Just what it delivers: the greatest possible material benefits for us all, with the added fabulous good that it does not come with loss of freedom, as do all the alternatives.

TURN THE OTHER CHEEK?

All of this is not to say that free men never abuse their freedom or that they require no regulation. Regulated these activities must be, to be sure, but that regulation can't be supplied by a "system" — free markets — that is, in effect, a negative: the *absence* of state fetters on men's economic endeavors. Yes, those regulations must be supplied, but their source, first of all, is religion (*see* the Founding Fathers' endless urgings that we never lose our religious heritage with its essential principles — they knew, as the left does, that without those, freedom succumbs to corruption [*see,* too, Lord Acton, de Toqueville, Russell Kirk, Whittaker Chambers, Ronald Reagan, George Washington, etc.]).

AGAIN, YES, we need to control the destructive potential of freedom but, no, the answer is not (and cannot be) any sort of state-imposed morality. The flaw in the socialist premise has nothing to do with whether or not suffering, injustice, or corruption exist or will plague us, but with the proposition that state controls will improve the situation rather than make it worse. The verdict on that question is long in: socialism in any form will aggravate the very evils that it is said, cynically I believe, the socialist controls are supposed to address.

As to the often-heard notion (from some Christian conservatives at least) that Christ's laws of charity somehow require us to move with state force to tame wild free markets, the Christian principle is not that we should enter in and impose artificial controls (except on ourselves) to suppress evil. Precisely the aspect of Christianity that makes it so difficult to live by for so many people, especially those of us who are drawn to political and/or social action, is the commandment to turn the other cheek, to "do nothing," as it so often seems to be, when confronted with evil — in the Gospel's phrase: to let the weeds grow up with the wheat lest, in removing the weeds, we uproot the wheat as well. Instead, we are to endure the maddening ordeal of watching the enemy's work grow and develop through often long lives here on earth, awaiting the day of God's judgment, not our own. It has challenged, to put it mildly, better men than us: St. Peter, for one, who was called "thou Satan" for suggesting that the approaching evil should somehow be kept from being be visited upon Our Lord, and told to *put down his sword* when he sought to defend his leader in the Garden of Gethsemane. That incident led him, with his companions, to run and hide for want of any other thing to do.



Pat Buchanan

A moment's reflection (to use a much-over-used word which is, nonetheless, in this case, I fear appropriate), tells us that to do otherwise, to take matters into our own hands and impose our order to thwart the evil is, often, to dispense with supernatural faith: faith that all things work together to achieve God's plan.

REVIVING THE WEST'S TRADITIONAL COMMUNITIES

The thing, it seems to me, that sincere anti-free market conservatives fault free markets for failing to supply is to be found in a revival of traditional Western communities, long-standing targets of the left and of tyrants always because they provide a powerful bulwark against loss of freedom, not to mention of civility and peace. The modern left, especially, sees these communities as insurmountable obstacles to the atomization of the people to the level of "mass man." They can't have their hordes of "tramping feet" — their "Paris mobs," their frenzied Nuremberg rallies, their Battleship Po-

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temkin uprisings: their "revolutions" at all — while healthy free communities serve their natural purposes.

What are these communities? In order of importance, the first, as I said earlier, is religion, and the second is family, but those two venerable, indispensable institutions are by no means all. In long-past times, the community institutions of the West were supplied in the context of a strict, often overly-strict, social aristocracy. This we left behind (in the formal sense at least) in Europe when America came to be. But we have with us still — because every human society has these things — all the human activities that give rise to a long list of communities that can and must be relied upon to maintain our traditions, our culture, our moral sensibilities, our respect for more than self-interest: ultimately, our human side. We must defend and build them up at least as diligently as the left attacks them.

What do I mean by "communities"? I mean the clubs and organizations men create affiliated with what they do as well as the "corporate cultures" prevailing among those with whom they work: with, that is, the professions — the law, medicine, the military, sports, and so forth (from each of which P.C. must be banished); academia (college and lower schooling: government, private, and home schooling); business communities (large, medium, and small); rural communities (those involved with farming and small town life — service clubs, for instance — including those promoting self-sufficiency among their participants and interaction with the natural world: the Boy Scouts, for instance, and hunting, fishing, 4-H, and other outdoor organizations, including those working to maintain the natural environment); labor organizations that serve rather than oppose community — communities among workers themselves and between workers and those with whom they interact every day: customers, business owners, and managers; political groups (local, state, and national); and arts communities (a special, critically important subgroup of professions with an unmatched power to shape all of our imaginations and ideas about community, culture, morality, and sense of balance and belonging).

REVITALIZE TO DO WHAT?

These communities will be revitalized and serve their traditional, critical purpose when they again reject and replace the themes that now dominate many of them after years of furious leftist subversion. Out must go the politically correct, collectivist themes of alienation, malaise, and irrelevance, of breakdown, uncertainty, loneliness, and hopelessness — the false conviction that meaning and health *cannot be restored to these communities* (because "that would mean living in the dead past" — a pathetic despair that what C.S. Lewis called "the abolition of man" cannot be reversed).

In place of these destructive themes must be restored these communities' true, constructive, life-invigorating purposes: the teaching and appreciation of the hows, whys, and whats of freedom: of close association with our past — immediate *and* historical — as a people with it's wholesome traditions and heroic, inspiring, instructive stories; of the vitally important role each community and each member of each community plays in maintaining a good, virtuous society. They should inculcate an appreciation of *permanence*, as well as of flexibility (not just "change"), above all, of *everyone's* duty and right to live free, responsible lives. These communities provide what most converts from totalitarian movements say they were seeking when they joined the tyrants in the first place: salve for the profound human need to belong to something larger than oneself with a foundation and an honorable purpose in life.

In summary, our communities must again encourage not despair and loneliness but an appreciation of freedom itself and of the necessity that we all contribute to its maintanence and growth. So please, conservatives, lay off the free market. Go to work restoring the vitality of our culture's indigenous communities. Throw the left's destructive efforts of the past hundred years back in its face, while supplying the best defense there is of our freedom, traditions, and domestic tranquility. CPR

Damien M. Schiff

(Continued from page 10)

always provide quality instruction. Consider that California's educational system is consistently in the bottom 10 percent as compared to the rest of the states, while home schoolers are winning the national history and spelling bees on a regular basis. What's more, the California Department of Education's most recent data shows that the high school graduation rate for students who attended from 2002 to 2006 was 67.1 percent. That means one in three students are not receiving a diploma.

Of course, the state *is* able to ensure that children receive a quality education. But competent instruction can be received just as well at home as in public or private schools and it is parents who should decide where their children are educated.

The Appellate Court rightly acknowledged home schooling's legal legitimacy as a matter of state law, but home schooling parents' ultimate protection continues to be the U.S. Constitution. CPR

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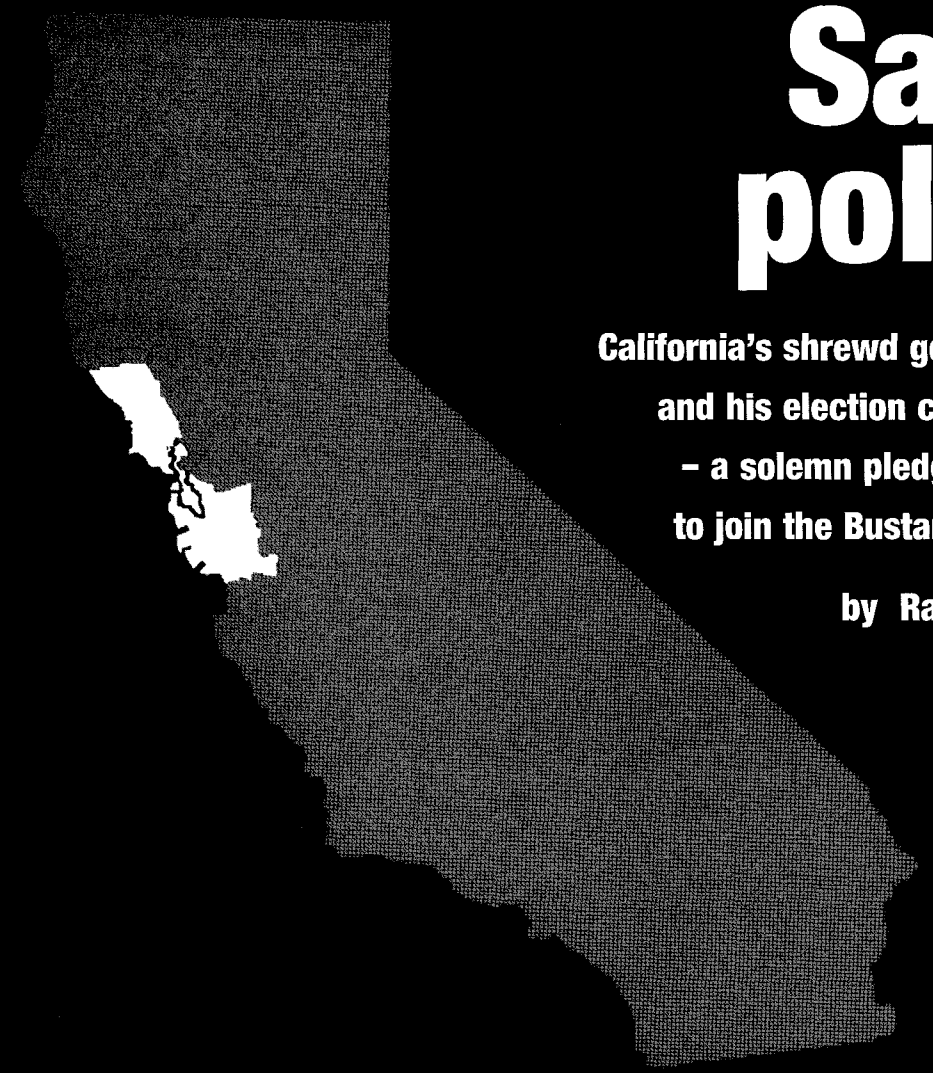
Savvy politico

California's shrewd governor betrays his Party and his election campaign centerpiece – a solemn pledge of no tax hikes – to join the Bustamante sub-minority.

by Ray Haynes



The Schwarzenegger No Tax Hikes Mandate

The Bustamante Please Raise Our Taxes Mandate

Republican legislators held together to vote down the Democrats' mid-August attempt to raise state income taxes as part of the 2008-09 state budget. Although the GOP controls only 32 seats in the 80-member state Assembly, the constitutional requirement that budgets pass with two-thirds support of the Legislature allowed Republican lawmakers to block the tax increase plan. Republican Governor Arnold Schwarzenegger has proposed his own tax increase: a "temporary" one-cent sales tax hike that would permit sales tax rates of more than 10 percent in some California counties and place California among the top states in sales tax rates. The governor says his plan would raise $6 billion a year, a claim widely disputed by Republican office holders who remind voters that former Governor Pete Wilson's early 1990s' efforts to raise government revenues by raising taxes actually led to reduced revenue flow to the state as the higher tax costs slowed the economy. They point out that the state did not recover from the Wilson

CPR *Editorial Board member Ray Haynes served in the California Legislature from 1992 to 2006.*

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revenue downturn until after every one of his tax hike measures either expired or was repealed.

The mid-August budget legislative floor vote thus showed legislators remaining largely true to the constituencies that elect them, Democrats refusing to lower outlays for the spending lobbies whose financial and political support provides the core of their power while GOP legislators held to the no tax hike pledge that has been the backbone of Republican fiscal — and overall political — policy for decades. The exception to this rule has been the governor, whose embrace of tax increases not only repudiates this central plank in his Party's platform, but directly contradicts one of his most emphatically pronounced, and most often repeated campaign promises.

ECONOMIC CONDITIONS

This year's annual budget battle comes in the context of a continuing — some say deepening — statewide recession. State unemployment hit 7.3 percent in July, representing a 400,000-worker rise in jobless numbers over one year earlier. The housing market downturn appears to be spreading to the state's retail sector and other areas of the state economy. Automobile dealerships and department stores, for example, increasingly are closing their doors.

At the same time, California faces steeply increased costs to its economy as a result of a dramatic increase in environmental regulation. California's Air Resources Board (CARB) is in the process of promulgating extensive rules to implement the state's anti-Global Warming law, AB 32, that promise to hit every sector of the state economy as well as every individual pocketbook with energy cost increases of 30 percent or more and steeply rising costs also for government services. Stringent environmental rules, for example, severely hamper annual efforts to control wild fires, imposing costly administrative and manpower requirements that reduce fire fighters' effectiveness while endangering their lives and forcing state fire fighting expenses to soar. (*See:* "Why the nation's forests are burning so hot," M. David Stirling, this issue of *CPR* [July/August 2008] pg. 7.) This year's 2,096 California wild fires, consuming more than 1.3 million acres and burning 306 homes, have already taken nearly $300 million from state coffers, a higher total fire fighting expense than California incurred in nine of the last 10 fire seasons. At its height, carrying on this year's wild fire battle cost $13 million a day, in contrast to $44 million spent a decade ago fighting fires for an entire year. Similarly rising costs plague the U.S. Forest Service for which Senator Dianne Feinstein had recently to request emergency funding of $910 million.

The battle over state spending is really a clash over divergent ideas about the people's proper relations with their government: heavier taxes and regulations vs. personal freedom and free markets.

Additional factors, put on the table by former Governor Gray Davis, also contribute to the state's current budget woes. State worker pensions, sharply increased under Davis, now cost $2 billion a year more than they would without the Davis increase, while unemployment insurance benefits were almost doubled in 2001, having now risen from a former maximum of $230 per week to $450.

THE POLICY DIVIDE

The battle over state spending is really a clash over divergent ideas about the people's proper relations with their government. Democrats favor ever-heavier taxes and regulations that will force the people to serve the objectives of those in power. GOP legislators, and, traditionally, Republicans overall, stand for limited tax and regulatory burdens that maximize personal freedom, free markets, and individual responsibility. Spending — nominally the essence of the debate — turns out to be something of side-show, being set largely as a function of the perceived tax/revenue level. Tax hikes that promise higher revenues are used to justify out-of-control spending levels, such

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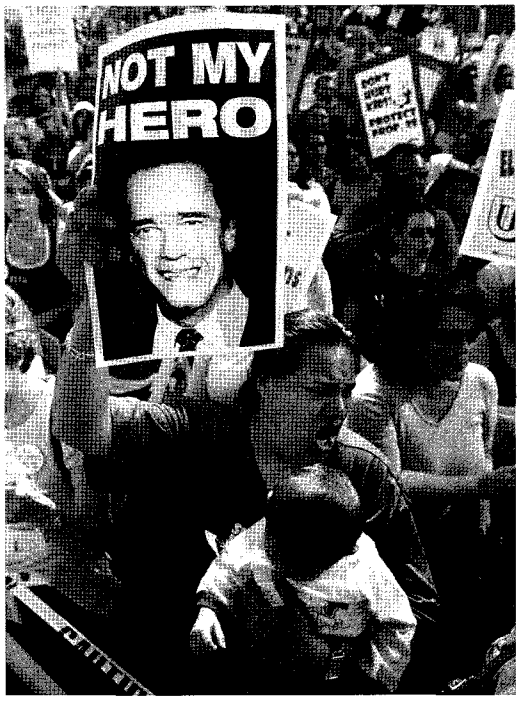
that a dollar in increased revenue projections is followed by proposals to spend an additional dollar plus 5 or 10 percent. When the projected revenues fail to appear, spending continues anyway, bringing deficits. This year's spending plan includes a $15.2 billion deficit, but conservatives see tax hikes as the necessary *first* element that starts the deficit-producing process going. They consider it the real issue and the real objective of the left in the broad battle.

"What's happening is the taxpayers are under assault like we've never seen before," said Jon Coupal, president of the Howard Jarvis Taxpayers Association. "We have not seen an assault on taxpayers of this magnitude since the tax revolt leading up to Proposition 13 three decades ago. Our elected leadership, at both the state and local levels, is pushing California into the 'coveted' position of the highest-tax state in America." The Tax Foundation, based in Washington, D.C., recently reported that California's state-local 10.5 percent of per-capita income tax burden is the nation's sixth-highest. On average, California taxpayers pay $4,752 a year.

POLITICAL DYNAMIC

Just as Democrat agitation for higher taxes to allow them to spend more reflects the interest of their Party's key spending lobby constituencies, the GOP "no tax hike" standard represents the interests of ordinary Californians who must subtract the soaring bill for government spending from the money they earn through their own productive efforts. But Governor Schwarzenegger, by betraying his solemn promises never to raise taxes, is refusing to play by these rules of successful office holders. Winning politicians participate in the political process by persuading the voters to trust them to exercise power in the voters' interest. The formerly Republican Congress persuaded the American people to trust them in just this way with national power, not that long ago, and the voters gave their trust. Those Republicans then breached that trust. The nation's voters now are well justified in not voting Republican, not because the Party's beliefs are wrong, but because too many GOP candidates, once they obtain power, forget the reason the voters backed them in the first place. This not only is dishonorable, it is a sure way to lose politically.

Schwarzenegger — back when people still considered him not only honest but Republican — promised *never* to raise taxes and to restrain big government in Sacramento. He broke the second promise long ago, and is paying the price for that breach of faith by breaking the first promise this year. Now, the only way for the California Republican Party to survive his folly is for Republican legislators to say no to his tax hike proposals — *no matter what price the voters exact from the governor in his popularity or power.*



The spending lobby
Public employee unions demanding more from your wallet.

Given Schwarzenegger's repeated failure to respect his promises, this should not be difficult, but Republican legislators will be threatened by the governor, by his donors, by the press, and by the Democrats. Although supporting the governor's perfidious example is the surest way to electoral defeat, those legislators will be told that to defy him will spell electoral disaster for the GOP. But because the only way to true power is through voter trust, our legislators must stick to the principles they campaigned on, even — *especially* — when the governor does not.

Evidence of this proposition is not difficult to find. Republicans are losing everywhere. Registration is dropping, and the prospect of losing seats in Congress and in the Legislature looms large over this election. McCain may pull off the presidency, but that will be more because Obama strikes fear in the heart of most rational people, while McCain is a safe choice. In most

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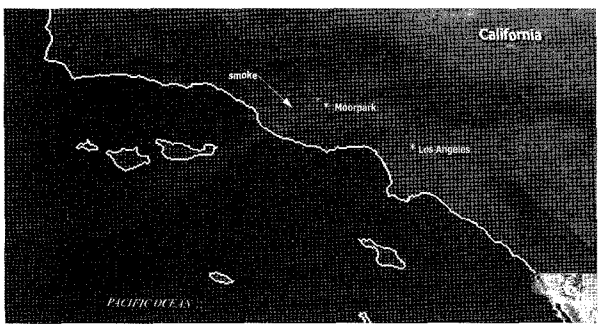
cases, however, legislative and congressional Republicans face severe and significant challenges in this election.

Why is this so? What is going on? It was only four years ago that Republicans picked up significant numbers, and appeared to be on the road to creating permanent majorities in Congress and in state Legislatures throughout the country: for instance, in Michigan, Florida, Pennsylvania, Virginia, Texas, and Georgia. Traditionally Democrat states elected Republican majorities. These majorities used redistricting in 2001 to try to cement in Republican legislative and congressional delegation advantages that would guarantee GOP control far into the future. Things looked pretty good after 2004, but it collapsed in 2006.



Hundreds of homes were threatened by a fire driven by powerful Santa Ana winds that burned an estimated 9,700 acreas in an area north of Moorpark, California. Unbending envirnomental controls have sharply increased state costs for fire fighting, adding to Sacramento's budget woes.

Why? Because, like our governor, congressional Republicans sold out their principles (supposedly) for the crude purpose of preserving their power. The congressional majority and its leadership destroyed their credibility (and that of their Party) by arguing that it had to go on a spending spree to hold power .... and then acting on that argument. All the congressional majority actually achieved was to create a culture of corruption that still dogs them, and all Republicans, today. People concluded that this group of Republicans should be dismissed, appropriately, as "typical" politicians driven only to preserve their own power for their own ends. The 20 years of good will that the Reagan and Gingrich revolutions had created for Republicans dissipated in two years as congressional Republicans focused on power and money, and forgot principle.

In California, Schwarzenegger similarly betrayed the trust that voters invested in him in 2003. He campaigned on blowing up the boxes, sweeping out the corruption and special interest politics of Sacramento. I stood on the steps of the Capitol in September of 2003 while Schwarzenegger's legions played "We're Not Going to Take It" and Schwarzenegger held up the broom he was going to use to clean up Sacramento. He personally told me in a hotel room in Riverside that he would never propose increasing taxes, that he would appoint good judges (to satisfy the pro-life crowd), that he would never sign any anti-gun legislation, and that he would fight the growth of big government in Sacramento. To this day, I honestly believe that he — even today — believes in these principles. His problem: he is not guided by his own beliefs, somehow reasoning that it is more "responsible" to act against them.

I stood on the Capitol steps in September 2003 while Schwarzenegger's legions played 'We're Not Going to Take It' and the governor held up the broom he was going to use to clean up Sacramento.

The seeds of his 2008 destruction could be seen in his first serious action in Sacramento. He seemed to begin well, first proposing cuts and a strict spending limit to fix budget problems the Davis people had caused (mainly, that is, Susan Kennedy — the very person Schwarzenegger would later name as his own chief of staff). The Democrats counter-proposed a balanced budget amendment (balanced budgets are not spending limits). With the stage thus set, Schwarzenegger's people asked legislative Republicans to fight the Democrat proposal. We did so. Then, less than two days later, Schwarzenegger simply capitulated, embracing the Democrat proposal and forgetting his own. On the legislative floor, the Democrats gleefully stressed the point of the governor's perfidy to embarrassed legislative Republicans. "You should just have done what we

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told you to do," they said. "We were more in tune with the governor than you, and you were just posturing." We were not posturing, but we were embarrassed. We were sold out by a weak governor, who, in a meeting after the vote, actually asked: "Can you believe what the Democrats were saying, that I adopted their plan? How could that be? I never even read their plan." No (bleep) Sherlock, you never read their plan. That is why you didn't know you sold us out, and capitulated to their demands.

DISASTROUS DECISIONS

That was just the first of several disastrous decisions that lead to the current debacle. Schwarzenegger could have won a spending limit in that first budget, had he been committed to winning it. He wasn't. He received his balanced budget, which over the next three budget cycles, grew California government faster than it had grown under Davis. The first budget was a good one. As proposed, it actually cut spending, and literally, when approved, had only a $100 million increase in spending. The next budget, for 2005-06, however, increased spending by $13 billion, the biggest increase in spending in the state's history. I pointed this out in our caucus and was told by the governor's finance staff I didn't know what I was talking about. They provided us false numbers, trying to overinflate the spending in the 2004-05 budget to reduce the increase in spending in the 2005-06 budget. On the floor of the Assembly, I found myself in a major fight with a fellow GOP assemblyman who voted for the 2005-06 budget based on the false numbers. This first year assemblyman, with no budget experience, told me, who at that time had 11 years experience (including seven on a budget committee) that I didn't know what I was doing. Interestingly enough, when the real numbers came out the next year, everything I had said to the caucus was confirmed. The governor's Department of Finance had lied to the Republican legislators, and in so doing, laid the ground work for the current budget debacle.

This year, the governor's tax increase breaks his final promise. He also once again proposes a budget reform and a spending limit, but this time gives a tax increase to get it. He is trying to convince Republican leadership to go along with him to get "real budget reform." Republicans should reject his call. This debacle is of his making. He has repeated all Gray Davis's mistakes and has refused to stand up to the free-spending Democrats. He has threatened and cajoled Republicans into voting for three big-spending budgets, and now claims none of this is his fault, but that the people must pay. In the meantime, anyone who tried to alert the public or the governor that he was on the wrong course was told publicly and privately they had better shut up, or they would be chased out of Republican politics.

This governor deserves whatever happens to him. His defective political strategies, his lack of a coherent political agenda (other than the expansion of his own personal power), his blunders, and his incredibly poor negotiating skills have landed him in this unenviable position. His proposal for a sales tax increase is the last straw. He is not the man people elected, and he no longer deserves their trust and support. The only way legislative Republicans can preserve anything at the polls in November is to divorce themselves from this ineffective, incompetent governor, and make it clear that they actually believe in the principles they campaigned on. More importantly, they have to show people that they believe in the principles so much that they are willing to lose power in an attempt to advance those principles.

uess what? If a politician tells voters that he or she is willing to sacrifice power, political influence, and his or her political future to protect the voter from a government out of control, voters will think twice before they take that power away. Voter belief that a politician is willing to give up power and position to advance principle creates a level of trust that is difficult to break. The road to power is not through the pursuit of power, but of principles. Congressional Republicans found the pursuit of power is the road to defeat. This governor will learn the same lesson. Legislative Republicans will either learn by these examples and stick to their principles, or will also lose power. CPR

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Looking for One Good Man

by Eldon Quick

ONCE UPON A TIME, featured in the literature and entertainment of the United States of America, there was an "American *persona*," a *persona* that was uniquely American. (It wasn't really American, it was more United Statesian, but as saying American is so much easier than saying United Statesian we consider ourselves, and call ourselves Americans.)

It was a heroic, but natural *persona* that was used as an example for boys, girls, and young men and women to look up to,

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Eldon Quick is California Political Review's *film critic.*

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aspire to, a thing one should try to be like. It was a *persona* that had high moral values, wasn't afraid of hard work, and knew right from wrong. Lying, cheating, stealing, and forcing its will on people to get its way were not part of this *persona.* It helped the weak and stood up against oppression by the strong. It wasn't afraid to fight to protect its family or its country. Under its rubric, being a patriot and loving one's country was a virtue. Think of Gene Autry or Roy Rogers.

NOT EVERYONE could live up to this ideal, but to fail at least to *aspire* to it made one a cad, a rogue, someone not fit for proper society, someone to be shunned. We didn't need a lot of laws to protect society from those who rejected this *persona*; social approbation was enough to keep all but the hardest cases in line. Of course there were always some hard cases, but they were never admired by the society of respectable men and women. And as for those who slipped just a little bit, well, they could be laughed at, made fun of, and used as an example of what can happen to you if you give in to foolishness.

This ideal American *persona* was the central figure in our literature, and our mental image of what we, as Americans, were. In our plays, our radio dramas, in our movies, and even into our early television, no matter how many bad guys there were, there was always a good guy, a paradigm of the American *persona* who set things right. In comedies, no matter how inept — or how unfortunate — our hero might be, his heart was always in the right place. He had at his core the ideals of American virtue. This *persona* was not a hero or super-hero, with more than natural abilities. He was just a man or woman.

Our leading actors and actresses were always actors who played examples of the American *persona.* I think back on the leading actors of my youth (in the '40s and early '50s): John Wayne, Gary Cooper, Jimmy Stewart, Humphrey Bogart, Henry Fonda, Glenn Ford, Clark Gable, Cary Grant, Gregory Peck, Jimmy Cagney, and many others I can't recall at the moment. The characters they played were all based on their conception of the American *persona.* Even when Bogart or Cagney played the villain, at the core of his character a code of right and wrong was acknowledged.

This perception of the American *persona* served America well for many years. During some of our darkest years, those of the Great Depression, no matter how bad things grew, the idea of stealing or even of being given something for nothing was anathema to the American *persona.* In the 1940s, threats to the United States were answered by hundreds of thousands of young men who volunteered to risk their lives to defend freedom from the totalitarian governments that wished to take it away. That was the American way, it was what an American did. Back then when you said something was un-American, everyone knew what you meant, and no one was offended.

This *persona*, that expects the individual to take care of himself and expects to give help *personal*ly to other individuals when they need it, is not the kind of person that needs or expects a lot of help from government. He is not going to make a good little

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liberal. It became necessary, therefore, in the modern world to discredit, to destroy, this *persona*. And as the entertainment industry was the chief proponent of this *persona*, it was the entertainment industry that would be used to destroy it.

In the late '40s and early '50s, as the new *literati* of the left gained prominence, a new American hero began to appear — the flawed hero. He failed to live up to the image of the American *persona*. He had faults; he was human just like you and me. (Well, maybe you.) Some people in and around the entertainment industry noticed this change in the character of the literary/entertainment industry protagonist. They also noticed that the purveyors of this new concept shared similar political views. Some of these people attempted to purge this element from the industry, but often they too did not understand the American *persona* and instead of working to restore the hero's image they sought to silence those who would alter it. A group or individual calling itself "Red Channels" published a "Black List" containing the names of writers, directors, and actors who supposedly were members of, or sympathizers with, the Communist Party. Studios and publishers were threatened with dire consequences if they hired people on the "Black List." Some on the list really were communists, others weren't and some were just going along for the ride. I've worked with all of them.

Today the situation is reversed. Recently, at a meeting of Republicans in Hollywood, I offered decals of the Republican Party logo that could be put inside the window of one's automobile. I was amazed and depressed at the number of people attending the meeting who told me they wouldn't dare put such a decal on their car. They could actually get fired from their job.

Slowly, like a sand castle before a rising tide, the character of the American *persona* was washed away. A character like Gary Cooper's in *Sergeant York* can never again appear. We will not see another *Mr. Smith Goes to Washington.* Today the American male, as portrayed in the entertainment media, is either a fumbling-foobie, covertly controlled by his all-knowing wife, or an incompetent boob resorting to breaking the law to survive, or a hero with extraordinary talent who resorts to individual, violent, illegal action to solve his problem. Or, just as bad, a super-hero with supernatural talents that brings the villain to justice without the aid of the law at all. In short, the message is always: there can be no justice under our current right-wing system of government.

This summer's movies are as good an argument for the death of the American *persona* as I can imagine: *Iron Man, Made of Honor, What Happens in Vegas, Indiana Jones ..., Postal, Sex and the City, Hancock, Meet Dave, Hell Boy II..., The Dark Knight, Step Brothers, The X Files ..., The Midnight Meat Train, The Rocker, The Mummy,* and *Swing Vote.* All of these films will, I bet, (I have not seen most of them) portray the leading character as either someone seriously flawed as a human, as having contempt for the rules of society, or as possessing super-natural abilities, or all three. Whatever — the leading character will not be someone one would wish his son or daughter to have as a role model.

The American *persona* hero, as one who's way of living one would wish to emulate, is dead. We may hope that short lived will be the new; secular; virtue-be-damned; take, kill, do-whatever-you-must-to-win hero of the new *literati.*

Is it really so difficult to write a script in which a real, ordinary man, faced with extraordinary challenges rises to overcome his fear and uses legal methods to challenge and defeat an unjust force stronger than himself? How about a movie about our brave soldiers in Iraq slowly, persistently overcoming the prejudices of people who hate and distrust outsiders, to bring them together to defeat a radical religious movement that would take their individual rights away and enslave them under a super fundamentalist version of Sharia Law? CPR

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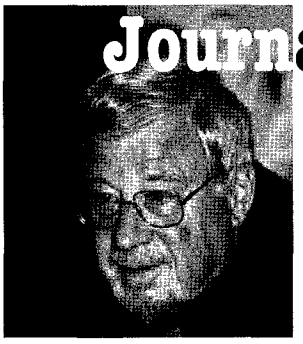
Si Frumkin's Journal



This *déjà vu* is 68 years old

At my elementary school in Lithuania we were taught that our city, Kaunas, was only the provisional capital. The presidential offices and all the ministries were located here, but that was temporary, our real capital was and forever would be Vilnius. It was taken away by the Poles in 1920 and they never gave it back. I believed that this was horrible; I could never understand why our heroic and brave Lithuanian army didn't take it back — we were strong, brave, and valiant enough, all 3 million of us to take on, what, only 30 million or so Poles, right?

I was a Lithuanian patriot. And when Vilnius was returned to Lithuania in 1939, I celebrated with rest of country. The Soviet Union and Germany had attacked and divided Poland between them and the Soviets got (among other, much bigger, parts) the area with Vilnius which they then gave to Lithuania. The only thing that Lithuania was supposed to do in return was to allow the Red Army to base some soldiers in the Lithuanian countryside — not in the larger cities. Frankly, I didn't mind. I was just nine years old and a fan of Soviet films; I knew that Red Army soldiers were heroic, friendly, handsome, and great fighters.

A couple of months later, after our government moved to the true historic capital that was liberated for us by the great Stalin, strange articles appeared in the official Soviet media.

On May 30, 1930, the major newspaper, *Izvestia,* published an official report by the Peoples Commissariat of Foreign Affairs. It reported des-

Si Frumkin is publisher and editor of Graffiti for Intellectuals.

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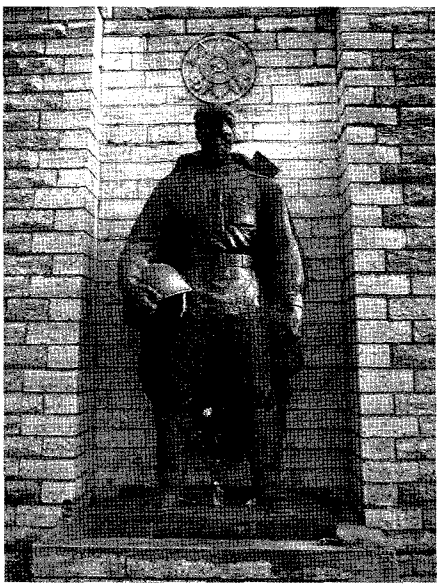

In films, Red Army soldiers were all heroic, friendly, handsome, and great fighters.

picable crimes by the Lithuanian military who had kidnapped and tortured a number of Red Army soldiers to learn Soviet military secrets. Two weeks later, on June 13, this was followed up by a directive of the Political Administration of the Red Army that said "The Lithuanian government under the cloak of pursuing investigations and apprehension of criminals is engaged in the elimination of friends of the Soviet Union."

Then on June 14, at 11:30 at night, the foreign minister of Lithuania, who had already been in Moscow for two weeks, was called to the office of Soviet Foreign Minister Molotov to accept a list of Soviet demands.

Lithuania was informed that the Soviet Union wanted the immediate arrest and trial of the Internal Affairs Minister and the chief of police of Lithuania; that a new government be immediately formed to carry out truly the spirit of the friendship and cooperation accords signed previously; that the frontiers be immediately opened for free transit of Red Army troops that would be based in the important areas of the country; and that the response to these demands should be transmitted to the Soviet government by 10:00 a.m. on June 15 — in just 10 hours!

Analogous ultimatums were transmitted next day to Latvia and Estonia — countries that had not even been accused of kidnapping and torture of Soviet soldiers. (These soldiers were never mentioned again. I can't help but wonder whether, 68 years later, the Russian peacekeepers who were supposedly assassinated by "Georgian criminal provocateurs" and were the alleged cause of Russian reaction against the Georgian "war criminals" will ever have their names and the circumstances of their demise revealed. Somehow, I don't think so.)

On June 16 and 17, 1940, the Red Army moved. There was no resistance. I was nine years old but I remember standing on the sidewalk of our main thoroughfare — the "Liberty Avenue," soon to be renamed "Stalin Avenue" — watching the horse-drawn artillery, carts, and trucks move. I was disappointed; the small, skinny horses were not at all like the heroic stallions that demolished the enemies of communism in the movies. In fact, the Red Army soldiers were not all that heroic either. They seemed to be undernourished, short, sloppy, not at all like cinematic Red Army warriors.

A few weeks later we were told that the Lithuanian people — as well as the Latvians and Estonians — had appealed to comrade Stalin to be admitted as full-fledged members to the Union of Soviet Socialist Republics. Shortly after that, we were told that our pleas were heard and just like that, we were Soviet citizens. Our president fled to the United States to live to a ripe old age, the United States and Britain never did recognize the annexation — they maintained Baltic embassies in Washington and London. Nothing was done that meant anything.

And what could be done? In June 1940, France, Holland, and Belgium had surrendered to Germany. America was neutral and Germany and the Soviets were friends and allies in full support of each other's policies. There probably were quite a few in the countries that were not yet affected who sincerely believed that war wasn't an answer; that there was another way to oppose evil. They still exist — look at all the cars with the incredibly asinine bumper stickers, "War Isn't The Answer."

Sixty-eight years ago the Baltic nations were enslaved by one tyrant. Czechoslovakia, Poland, Yugoslavia, and many others were wiped off the map by another. The world allowed this to happen just as it is allowing it to happen now in Georgia. It took much blood to show that they were wrong, that evil has to be fought. History — past and present — is proof that if we believe that war is not the answer, the bad guys will win. CPR

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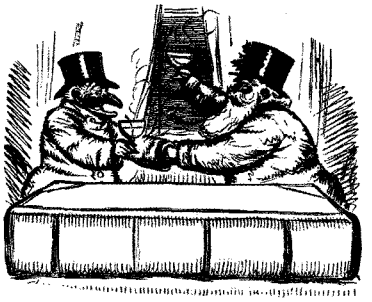

HISTORY

What *really* led to the Crusades?

Part 2

BY JOHN HENRY NEWMAN

Few topics have become as confused, as clouded over with historical misinformation, or as conducive of a misplaced "say nothing about it; I already know more than I want to" complacency of mind than the Crusades — the series of military expeditions launched from Europe against Moslem-Turkish forces in the East commencing in 1095 and continuing through the following two centuries. (Which should, for historic completeness, also include the successful defense of Malta in 1565 against Turkish invaders; the naval defeat of the Turks in 1571 at the Battle of Lepanto; and the final elimination of the Turkish threat to Europe in 1683 before the gates of Vienna.)

A clear picture of this vast conflict requires first that it be seen in its full historical context. To help supply that context, CPR *here publishes the second installment in this series: excerpts from a set of brilliant lectures "On the History of the Turks," delivered to English audiences in 1853 by John Henry Cardinal Newman. Newman gave his talks, as he put it, "when we [the English people] are on the point of undertaking a great war in behalf of the Turks" — in the Crimea — something Newman saw as requiring explanation, given the Turks' historic role* vis à vis *the West.* CPR *here taps these lectures' larger value in placing the Crusades in their own, broad historical context.* — *editor*

AND NOW for Genghis Khan and Tamerlane: like the Huns, they and their tribes came down from the North of Asia, swept over the face of the South, obliterated the civilization of centuries, inflicted unspeakable misery on whole nations, and then were spent, extinguished, and only survived to posterity in the desolation they caused. As Attila ruled from China to the Rhine, and wasted Europe from the Black Sea to the Loire, so Genghis and his sons and grandsons occupied a still larger portion of the world's surface, and exercised a still more pitiless sway. Besides the immense range of territory, from Germany to the North Pacific Ocean, throughout which their power was felt, even if it was not acknowledged, they overran China, Siberia, Russia, Poland, Hungary, Anatolia, Syria, and Persia. During the sixty-five years of their dominion, they subdued almost all Asia and a large portion of Europe. The conquests of Tamerlane were as sudden and as complete, if not as vast, as those of Genghis; and, if he

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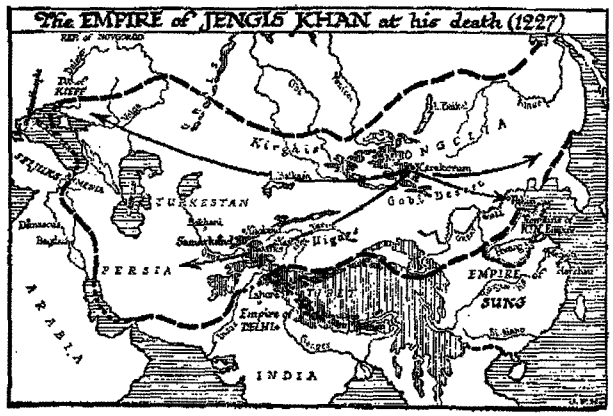

did not penetrate into Europe, he accomplished instead the subjugation of Hindostan.

THE EXPLOITS of those warriors have the air of Eastern romance; 700,000 men marched under the standard of Genghis; and in one of his battles he left 160,000 of his enemies upon the field. Before Tamerlane died, he had had twenty-seven crowns upon his head. When he invaded Turkistan, his army stretched along a line of thirteen miles. We may conceive his energy and determination when we are told that for five months he marched through wildernesses subsisting his immense army on the fortunes of the chase. In his invasion of Hindostan he had to pass over a high chain of mountains and at one stage had to be lowered by ropes on a scaffold down a precipice of 150 cubits. *[editor: 1 cubit equals 45.72 centimeters]* He attempted the operation five times before he reached the bottom safely.

These two extraordinary men rivaled or exceeded Attila in their wholesale barbarities. Attila vaunted that the grass never grew again after his horse's hoof; so it was the boast of Genghis, that when he destroyed a city, he did it so completely, that his horse could gallop across its site without stumbling. He depopulated the whole country from the Danube to the Baltic in a season; and the ruins of cities and churches were strewed with the bones of the inhabitants. He allured the fugitives from the woods, where they lay hid, under a promise of pardon and peace; he made them gather in the harvest and the vintage, and then he put them to death. At Gran, in Hungary, he had 300 noble ladies slaughtered in his presence. But these were slight excesses compared with other of his acts. When he had subdued the northern part of China, he proposed, not in the heat of victory, but deliberately in council, to exterminate all its inhabitants, and to turn it into a cattle-walk; from this project indeed he was diverted, but a similar process was his rule with the cities he conquered. Let it be understood, he came down upon cities living in peace and prosperity, as the cities of England now, which had done him no harm, which had not resisted him, which submitted to him at discretion on his summons. What was his treatment of such? He ordered out the whole population on some adjacent plain; then he proceeded to sack their city. Next he divided them into three parts: first, the soldiers and others capable of bearing arms; these he either enlisted into his armies, or slaughtered on the spot. The second class consisted of the rich, the women, and the artisans — these he divided amongst his followers. The remainder, the old, infirm, and poor, he suffered to return to their rifled city. Such was his ordinary course; but when anything occurred to provoke him, the most savage excesses followed. The slightest offense or appearance of offense on the part of an individual sufficed for the massacre of whole populations. The three great capitals of Khorasan were destroyed by his orders, and a reckoning made of the slain: at Maru were killed 1,300,000; at Herat, 1,600,000; and at Neisabour, 1,747,000; making a total of 4,647,000 deaths. If these numbers are exaggerated four-fold or ten-fold; on the last supposition you have a massacre of towards half a million helpless beings. After recounting such preternatural crimes, it is little to add that his devastation of the fine countries between the Caspian and the Indus, a tract of many hundred miles, was so complete that six centuries have been unable to repair the ravages of four years.

Tamerlane equaled Genghis, if he could not surpass him, in barbarity. At Delhi, the capital of his future dynasty, he massacred 100,000 prisoners, because some of them were seen to smile when the army of their countrymen came in sight. He laid a tax of the following sort on the people of Ispahan, *viz.* to find him 70,000 human skulls, to build his towers with; and, after Baghdad had revolted, he exacted of the inhabitants as many as 90,000. He burned, or sacked, or razed to the ground, the cities of Astrachan, Carisme, Delhi, Ispahan, Baghdad, Aleppo, Damascus, Broussa, Smyrna, and a thousand others. We seem to be reading of some antediluvian giant, rather than of a medieval conqueror.

Satan shall go forth ...

The terrible races I have been describing, like those

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giants of old, have ever been enemies of God and persecutors of His Church. Celts, Goths, Lombards, Franks, have been converted, and their descendants to this day are Christian; but, whether we consider Huns, Moguls, or Turks, up to this time they are in the outer darkness. And accordingly, to the innumerable Tartar tribes, and to none other, have been applied by commentators the solemn passages about Gog and Magog, who are to fight the battles of Antichrist against the faithful. "Satan shall go forth and seduce the nations which are at the four corners of the earth, Gog and Magog, and shall collect them to battle, whose number is as the sea sand." From time to time the Holy See has fulfilled its apostolic mission of sending preachers to them, but without success. The only missionaries who have had any influence upon them have been those of the Nestorian heresy, who have in certain districts made the same sort of impression on them which the Greek schism has made upon the Russians. St. Louis too sent a friar to them on an embassy, when he wished to persuade them to turn their strength upon the Turks, with whom he was at war; other European monarchs afterwards followed his pattern; and sometimes European merchants visited them for the purposes of trade. However little influence as these various visitants, in the course of several centuries, had upon their minds, they have at least done us the service of giving us information concerning their habits and manners; and this so fully corroborates the historical account of them which I have been giving, that it will be worth while laying before you some specimens of it here.

I HAVE SAID that some of these travelers were laymen traveling for gain or in secular splendor, and others were humble servants of religion. The contrast of their respective adventures is striking. The celebrated Marco Polo, who was one of a company of enterprising Venetian merchants, lived many years in Tartary in honor, and returned laden with riches; the poor friars met with hardships in plenty, and nothing besides. Not that the Poli were not good Catholics, not that they went out without a blessing from the Pope, or without friars of the order of St. Dominic of his selection; but so it was that the Tartars understood the merchant well enough but could not comprehend, could not set a value on the friar.

When the Pope's missionaries came in sight of the Tartar encampment on the northern frontier of Persia, they at once announced their mission and its object. It was from the Vicar of Christ upon earth, and the spiritual head of Christendom; and it was a simple exhortation addressed to the fierce conquerors before whom they stood, to repent and believe. The answer of the Tartars was equally prompt and equally intelligible. When they had fully mastered the business of their visitors, they sentenced them to immediate execution; and did but hesitate about the mode. They were to be flayed alive, their skins filled with hay, and so sent back to the Pope; or they were to be put in the first rank in the next battle with the Franks, and to die by the weapons of their own countrymen. Eventually one of the Khan's wives begged them off. They were kept in a sort of captivity for three years, and at length thought themselves happy to be sent away with their lives.

So much for the friars; how different was the lot of the merchants may be understood by the scene which took place on their return to Venice. Historian Hugh Murray's *Asia* tells us that, on their arrival at their own city, after the absence of a quarter of a century, their change of appearance and poorness of apparel were such that even their nearest friends did not know them. Having with difficulty effected an entrance into their own house, they set about giving a splendid entertainment to the principal persons of the city. The banquet over, following the Oriental custom, they successively put on and then put off again, and distributed to their attendants, a series of magnificent dresses; and at length they entered the room in the same weather-stained and shabby dresses, in which, as travelers, they had made their first appearance at Venice. The assembled company eyed them with wonder;

Genghis Khan

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which you may be sure was not diminished, when they began to unrip the linings and the patches of those old clothes, and as the seams were opened, poured out before them a prodigious quantity of jewels. This had been their expedient for conveying their gains to Europe, and the effect of the discovery upon the world may be anticipated. Persons of all ranks and ages crowded to them, as the report spread, and they were the wonder of their day.

Tamerlane

Savage cruelty, brutal gluttony, and barbarous magnificence are the three principal ethical characteristics of a Tartar prince, as we may gather from what has come down to us in history, whether concerning the Scythians or the Huns. The first of these three qualities has also been illustrated, from the references which I have been making to the history of Genghis and Tamerlane, so that I think we have heard enough of it, without further instances from the report of these travelers, whether ecclesiastical or lay. I will but mention one corroboration of a barbarity (as reported in historian Thomas Thornton's *Turkey* — see also Jenkinson's *Voyage across the Caspian* in 1562), which at first hearing it is difficult to credit. When the Spanish ambassador, then, was on his way to Tamerlane, and had got as far as the north of Persia, he there actually saw a specimen of that sort of poll-tax, which I just now mentioned. It was a structure consisting of four towers, composed of human skulls, a layer of mud and of skulls being placed alternately; and he tells us that upwards of 60,000 men were massacred to afford materials for this building. Indeed it seems a demonstration of revenge familiar to the Tartar race. Selim, the Ottoman Sultan, reared a similar pyramid on the banks of the Nile.

A Grey Friar

To return to our Spanish traveler. He proceeded to his destination, which was Samarcand, the royal city of Tamerlane, in Sogdiana, the present Bukharia, and was presented to the great conqueror. He describes the gate of the palace as lofty, and richly ornamented with gold and azure; in the inner court were six elephants, with wooden castles on their backs, and streamers, which performed gambols for the amusement of the courtiers. He was led into a spacious room, where were some boys, Tamerlane's grandsons, and these carried the King of Spain's letters to the Khan. He then was ushered into Tamerlane's presence, who was seated, like Attila's queen, on a sort of cushioned sofa, with a fountain playing before him. He was at that time an old man, and his eyesight was impaired.

At the entertainment which followed, the meat was introduced in leather bags, so large as to be dragged along with difficulty. When opened, pieces were cut out and placed on dishes of gold, silver, or porcelain. One of the most esteemed, says the ambassador, was the hind quarter of a horse; I must add what I find related, in spite of its offending our ears — our informant tells us that horse-tripe also was one of the delicacies at table. No dish was removed, but the servants of the guests were expected to carry off the remains, so that our ambassador doubtless had his larder provided with the sort of viands I have mentioned for some time to come. The drink was the famous Tartar beverage which we hear of so often, mares milk, sweetened with sugar, or perhaps rather the koumiss or spirit which is distilled from it. It was handed round in gold and silver cups.

Nothing is more strange about the Tartars than the attachment they have shown to such coarse fare, from the earliest times till now. Tamerlane, at whose royal table this most odious banquet was served, was lord of all Asia, and had the command of every refinement not only of luxury, but of gluttony. Yet he is faithful to the food which regaled the old Scythians in the heroic age of Greece, and which is prized by the Usbek of the present day. As Homer, in the beginning of the historic era, calls the Scythians "mares'-milk drinkers," so geographers of the present day describe their mode of distilling it in Russia. Tavernier speaks of it two centuries ago; the European visitors partook of it in the middle ages, and the Roman ambassadors, in the later times of the Empire. These tribes have had the command of the vine, yet they seem to have scorned or even abhorred its use; and we have a curious account in Herodotus, of a Scythian king who

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lost his life for presuming to take part secretly in the orgies of Bacchus. Yet it was not that they did not intoxicate themselves freely with the distillation which they had chosen; and even when they tolerated wine, they still adhered to their koumiss. That beverage is described by the Franciscan, who was sent by St. Louis, as what he calls biting, and leaving a taste like almond milk on the palate; though Elphinstone, on the contrary writing in this century, says "it is of a whitish color and a sourish taste." And so of horseflesh; I believe it is still put out for sale in the Chinese markets; Lieutenant Wood, in his journey to the source of the Oxus, speaks of it among the Usbeks as an expensive food. So does Elphinstone, adding that in consequence the Usbeks are "obliged to be content with beef." Pinkerton tells us that it is made into dried hams; but this seems to be a refinement, for we hear a great deal from various authors of its being eaten more than half raw. After all, horseflesh was the most delicate of the Tartar viands in the times we are now considering. We are told that, in spite of their gold and silver, and jewels, they were content to eat dogs, foxes, and wolves; and, as I have observed before, the flesh of animals which had died of disease.

But again we have lost sight of the ambassador of Spain. After this banquet, he was taken about by Tamerlane to other palaces, each more magnificent than the one preceding it. He speaks of the magnificent halls, painted with various colors, of the hangings of silk, of gold and silver embroidery, of tables of solid gold, and of the rubies and other precious stones. The most magnificent of these entertainments was on a plain; 20,000 pavilions being pitched around Tamerlane's, which displayed the most gorgeous variety of colors. Two entertainments were given by the ladies of the court, in which the state queens of Tamerlane, nine in number, sat in a row, and here pages handed round wine, not koumiss, in golden cups, which they were not slow in emptying.

THE GOOD friar, who went from St. Louis to the princes of the house of Genghis, several centuries earlier, gives us a similar account. When he was presented to the Khan, he went with a Bible and a Psalter in his hand; on entering the royal apartment, he found a curtain of felt spread across the room; it was lifted up, and discovered the great man at table with his wives about him, and prepared for drinking koumiss. The court

Tamarlane

knew something of Christianity from the Nestorians, who were about it, and the friar was asked to say a blessing on the meal; so he entered singing the Salve Regina. On another occasion he was present at the baptism of a wife of the Khan by a Nestorian priest. After the ceremony, she called for a cup of liquor, desired a blessing from the officiating minister, and drank it off. Then she drank off another, and then another; and continued this process till she could drink no more, and was put into her carriage, and taken home. At another entertainment the friar had to make a speech, in the name of the holy king he represented, to pray for health and long life to the Khan. When he looked round for his interpreter, he found him in a state of intoxication, and in no condition to be of service; then he directed his gaze upon the Khan himself, and found him intoxicated also.

Gifts of the Khan

I have made much mention of the wealth of the Tartars, from Attila to Tamerlane; their foreign conquests would yield to them of course whatever of costly material their pride might require; but their native territory itself was rich in minerals. Altai in the north

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yielded the precious metals; the range of mountains which branches westward from the Himalaya on the south yielded them rubies and lapis lazuli. We are informed by the travelers whom I have been citing that they dressed in winter in costly furs; in summer in silk, and even in cloth of gold (as per Jenkinson, cited earlier). One of the Franciscans speaks of the gifts received by the Khan from foreign powers. They were more than could be numbered — satin cloths, robes of purple, silk girdles wrought with gold, costly skins. We are told of an umbrella enriched with precious stones; of a train of camels covered with cloth of Baghdad; of a tent of glowing purple; of five hundred wagons full of silver, gold, and silk stuffs.

Marco Polo

IT IS remarkable that the three great conquerors, who have been our subject, all died in the fullness of glory. From the beginning of history to our own times, the insecurity of great prosperity has been the theme of poets and philosophers. Scripture points out to our warning in opposite ways the fortunes of Sennacherib, Nabuchodonosor, and Antiochus. Profane history tells us of Solon, the Athenian sage, coming to the court of Crœsus, the prosperous King of Lydia, whom in his fallen state I have already had occasion to mention; and, when he had seen his treasures and was asked by the exulting monarch who was the happiest of men, making answer that no one could be called happy before his death. And we may call to mind in confirmation the history of Cyrus, of Hannibal, of Mithridates, of Belisarius, of Bajazet, of Napoleon. But these Tartars finished a prosperous course without reverse; they died indeed and went to judgment, but, as far as the visible scene of their glory is concerned, they underwent no change. Attila was summoned suddenly, but the summons found him a triumphant king; and the case is the same with Genghis and Tamerlane. These latter conquerors had glories besides of a different kind which increased the luster of their rule. They were both lawgivers; it is the boast of Genghis that he laid down the principle of religious toleration with a clearness which modern philosophers have considered to rival the theory of Locke; and Tamerlane, also established an efficient police in his dominions, and was a patron of literature. Their sun went down full and cloudless, with the merit of having shed some rays of blessing upon the earth, scorching and withering as had been its day. It is remarkable also that all three had something of a misgiving, or softening of mind, miserably unsatisfactory as it was, shortly before their deaths. Attila's quailing before the eye of the Vicar of Christ, and turning away from Italy, I have already spoken of. As to Genghis, as, laden at once with years and with the spoils of Asia, he reluctantly measured his way home at the impatient bidding of his veterans, who were tired of war, he seemed visited by a sense of the vanity of all things and a terror for the evil he had done. He showed some sort of pity for the vanquished, and declared his intention of rebuilding the cities he had destroyed. Alas! it is ever easier to pull down than to build up. His wars continued; he was successful by his lieutenants when he could not go to battle himself; he left his power to his children and grandchildren, and he died.

Misgivings about his past

Such was the end of Genghis, a pagan, who had some notion of Christianity in a corrupted form, and who once almost gave hopes of becoming a Christian, but who really had adopted a sort of indifference towards religious creeds altogether. Tamerlane was a zealous Mahometan, and had been instructed in more definite notions of moral duty. He too felt some misgivings about his past course towards the end of his life; and the groans and shrieks of the dying and the captured in the sack of Aleppo awoke for a while the stern monitor within him. He protested to the cadhi his innocence of the blood which he had shed. "You see me here," he said, as reported by Edward Gibbon, "a poor, lame, decrepit mortal; yet by my arm it has pleased the Almighty to subdue the kingdoms of Iran, Touran, and Hindostan. I am not a man of blood; I call God to witness, that never, in all my wars, have I been the aggressor, but that my enemies have ever been the authors of the calamities which have come upon them."

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This was the feeling of a mind sated with conquest, sated with glory, aware at length that he must go further and look deeper, if he was to find that on which the soul could really feed and live, and startled to find the entrance to that abode of true greatness and of glory sternly shut against him. He looked towards the home of his youth, and the seat of his long prosperity, across the Oxus, to Sogdiana, to Samarcand, its splendid capital, with its rich groves and smiling pastures, and there the old man went to die. Not that he directly thought of death; for still he yearned after military success: and he went thither for but a short repose between his stupendous victories in Asia Minor and a projected campaign in China. But Samarcand was a fitting halt in that long march; and there for the last time he displayed the glory of his kingdom, receiving the petitions or appeals of his subjects, ostentatiously judging between the deserving and the guilty, inspecting plans for the erection of palaces and temples, and giving audience to ambassadors from Russia, Spain, Egypt, and Hindostan. An English historian, whom I have already used, has enlarged upon this closing scene, and I here abridge his account of it. "The marriage of six of the Emperor's grandsons," he says, "was esteemed an act of religion as well as of paternal tenderness; and the pomp of the ancient caliphs was revived in their nuptials. They were celebrated in the garden of Canighul, where innumerable tents and pavilions displayed the luxury of a great city and the spoils of a victorious camp. Whole forests were cut down to supply fuel for the kitchens; the plain was spread with pyramids of meat and vases of every liquor, to which thousands of guests were courteously invited. The orders of the state and the nations of the earth were marshaled at the royal banquet. The public joy was testified by illuminations and masquerades; the trades of Samarcand passed in review; and every trade was emulous to execute some quaint device, some marvelous pageant, with the materials of their peculiar art. After the marriage contracts had been ratified by the cadhies, nine times, according to the Asiatic fashion, were the bridegrooms and their brides dressed and undressed; and at each change of apparel, pearls and rubies were showered on their heads, and contemptuously abandoned to their attendants."

You may recollect the passage in Milton's *Paradise Lost,* which has a reference to the Oriental ceremony here described. It is in his account of Satan's throne in Pandemonium. "High on a throne," the poet says,

> High on a throne of royal state, which far
> Outshone the wealth of Ormus or of Ind,
> Or where the gorgeous East, with richest hand,
> Showers on her kings barbaric pearl and gold,
> Satan exulting sat, by merit raised
> To that bad eminence.

So it is; the greatest magnificence of this world is but a poor imitation of the flaming throne of the author of evil. But let us return to the history: "A general indulgence was proclaimed, and every law was relaxed, every pleasure was allowed; the people were free, the sovereign was idle; and the historian of Tamerlane may remark, that after devoting 50 years to the attainment of empire, the only happy period of his life was the two months in which he ceased to exercise his power. But he was soon awakened to the cares of government and war. The standard was unfurled for the invasion of China; the emirs made the report of 200,000, the select and veteran soldiers of Iran and Touran; the baggage and provisions were transported by 500 great wagons, and an immense train of horses and camels; and the troops might prepare for a long absence, since more than six months were employed in the tranquil journey of a caravan from Samarcand to Pekin. Neither age, nor the severity of winter, could retard the impatience of Tamerlane; he mounted on horseback, passed the Sihun" (or Jaxartes) "on the ice, marched 300 miles from his capital, and pitched his last camp at Otrar, where he was expected by the angel of death.

"Fatigue and the indiscreet use of iced water accelerated the progress of his fever; and the conqueror of Asia expired in the seventieth year of his age; his designs were lost; his armies were disbanded; China was saved." CPR

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A Masterpiece or Just Silly?

BY ELDON QUICK

I WAS NEVER a great fan of Batman. My favorite was Capt. Marvel, with Superman perhaps second. Batman was kinda spooky and a bit silly. Why Capt. Marvel wasn't silly I can't tell you except to say, "Hey, I was 10 years old." Capt. Marvel and Superman had special, extraordinary powers because Billy could say "SHAZAM" and turn into Capt. Marvel, and Superman came from a distant planet and not of this Earth, so their special powers had reasonable explanations (like I said, 10 years old). Batman was just human, except he dressed up like a bat and had a utility belt of ... well, utilities. He could also punch the lights out of a bad guy with one blow. My uncle was a great inventor and machinist, and he wore a tool belt of ... tools, and he was an amateur boxer with several wins, but I could never believe that if he put on a bat suit he could become a "caped crusader." Batman just wasn't believable.

What a difference between the comic book Batman — he of the BIFF, BAM, POW, SOCK — and today's movie creation. The movie is entitled *The Dark Knight* and dark, dark, dark it is. I don't think I have ever seen a major motion picture with such a bleak, cynical view of human nature. Really, is humanity so utterly corrupt that even the best of us will give way to our most base instincts when the opportunity presents itself? Is there nobody who won't deal from the bottom of the deck if given the chance?

The Dark Knight

Co-written and directed by Christopher Nolan

thedarkknight.warnerbros.com

Starring Christian Bale, Heath Ledger, Aaron Eckhart, and Maggie Gyllenhaal

2008

The only moment of light in the movie does not pass the believability test given the premise set for it. (The following **gives away a suspenseful moment in the film,** so if you expect to see it soon, skip this paragraph.) The writers, the brothers Nolan, present the audience with a "what would you do?" scenario as follows: Two ferryboats loaded with passengers lose their power in the middle of the bay. The intercom announces that each is loaded with explosives and they will be blown up at midnight, unless ... the passengers use the trigger furnished them to blow up the other boat first. One of the boats is loaded with convicts, murders, and real bad guys. The other is loaded with common citizens: people just like us. What would you do? Would you kill everyone on board the other boat to save your boat, or do nothing and everyone dies? Needless to tell you, most of the passengers on both boats are for pulling the trigger first. But neither does, and Bat-

Eldon Quick, a retired actor living in Hollywood — going to the movies so you don't have to.

The Dark Knight *is an American superhero/crime film based on the DC Comics character Batman. The film is a sequel to 2005's* Batman Begins. *Batman's primary conflicts in the film include his fight against his arch-nemesis the Joker (Heath Ledger) and his rivalry with District Attorney Harvey Dent (Aaron Eckhart) for the affections of Assistant D.A. Rachel Dawes (Maggie Gyllenhaal).*

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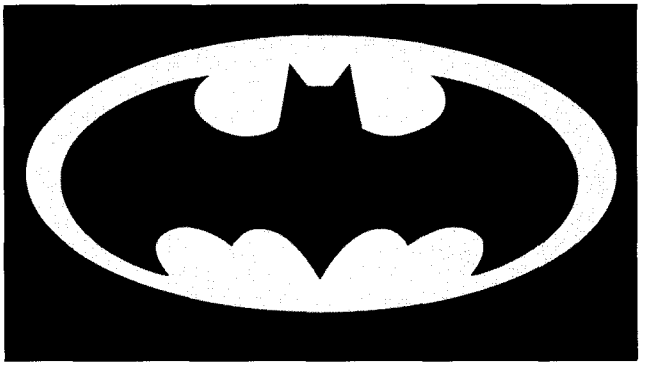
man blocks the signal at midnight so all survive, but here is the interesting message: The convicts refuse to pull the trigger because it would be morally wrong to do so; the civilians fail to pull the trigger because none of them has the courage to do it. Bleak.

EVERY STORY — in print, on film, or electronic — has a moral or lesson from which we may learn. Most of the time the message is something like "crime doesn't pay," or "bad guys lose," though sometimes it's "True love wins," or "If you really believe ..." For years, Hollywood, (or, rather, Malibu Beach) has lived off the proposition that the hero can take individual, illegal, violent action to solve his problem, and it's OK because the bad guy is so bad — and authority is so powerless to help — that the action is "justified" as the only possible way.

The Dark Knight takes this conflict of vigilante behavior *vs.* law to the extreme. The point of the movie is: When confronted with true evil that cannot be reasoned with and is beyond the ability of the law to control, only by breaking the law can one hope to triumph. We can imagine a comparison to George W. Bush's wire tapping and water-boarding quickly coming to the *Dark Knight* filmmakers' minds. As Bruce Wayne's butler says, "Heroes must die young, for if not, the wrong they must do will eventually make them as evil as the villains they fight." (or something like that.)

One conservative reviewer (Sonny Bunch, *The Washington Times)* called *The Dark Knight* a "masterpiece of the first order .... It is the first film to realistically confront the impact of terror on society writ large – and grapple with how that society must respond in the face of nihilistic aggression against a foe dedicated to ending its way of life." Another, Ben Shapiro of Creators Syndicate, wrote that "*The Dark Knight* is a masterful reworking of the Batman myth .... It gives audiences a serious look at sociopathic evil and points out that, when fighting such evil, true heroes must get their hands dirty."



Granted here is an important moral and philosophical question that deserves contemplation and discussion. When, if ever, is it moral to break the law and commit evil acts in order to prevent a greater evil? This applies whether the law is international or local. This movie assumes, as have the Malibu Beachers for many years now, that legal authority is either corrupt or tied up in legalisms or just doesn't care, so resorting to law is off the table before the question begins. It then follows that the Malibu Beach hero is always justified. He is, after all, the revolutionary working against "the system." In this context, George Bush and the United States government can never be justified because they are the system.

When, if ever, is the use of violent force by a government justified? Many in our contemporary culture say "never" because to use violent force, even in self-defense, reduces one to the moral level of the attacker: moral equivalence for all who use violence. But, as the movie so effectively points out, some elements in our society, whether local or worldwide, are so evil and so far beyond a civilized society's ability to control that they only violent force can stop them. The big difference between Batman and George W. Bush is that Batman knowingly breaks the law and uses illegal violent force to prevent what he perceives to be the greater evil. He is, and he knows he is, the moral equivalent of those he is fighting. George Bush, on the other hand, followed the law as it was explained to him step by step and at all times worked within the framework of civil and world authority. He is not the moral equivalent of those we are fighting.

MANY MOVIES address the question of moral authority obliquely but none have done it so forcefully as *The Dark Knight.* It's just a shame that the question had to be embedded in such a silly, fantastic, unreal film.

Come to think about it, I'm guess I'm not much of a fan of this new incarnation of Batman either. CPR

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First Things

Denigrating both God and man

by John Kurzweil

Cable TV's History Channel piqued my interest recently with a show about King Herod. Before long, during a discussion of Herod's Massacre of the Innocents, the voice-over blithely asserted about this most notorious act of Herod's reign that "no evidence exists to show that it ever happened at all" because it evidently is not mentioned outside the Bible. *No* evidence? The episode is described in detail by the Christian Evangelist Matthew (2, 16 to 18) and predicted by the Prophet Jeremias (31, 15) — but in Hollywood, religious sources count for less than nothing, being, in Movie- and TV-land, positive indicators that the thing is almost surely a hoax or regrettable smear.

This rather standard left-wing tactic manages to denigrate both God and man while denying religious believers' right to articulate their own brief about life and man's role in it. That God is the actual, and thus incontestable, author of Scripture is dismissed without a word. And man's primary role in life is ignored with equal jejuneness. Christ Himself described that role in, for instance, His parable of the sower and the seed: "Here is the sower gone out to sow his seed. And as he sowed, there were some grains that fell beside the path, so that they were trodden under foot, and the birds flew down and ate them. And others fell on the rocks, where they withered as soon as they were up, because they had no moisture. And some fell among briars, and the briars grew up with them and smothered them. But others fell where the soil was good, and when these grew up they yielded a hundredfold. So saying, he cried aloud, Listen, you that have ears to hear with." [Lk. 8, 5-8]

The parable's two main implications are, first, that our relationship with and response to God and His teaching (the sower and the seed) ought to be the central concern of lives, and, second, that our destiny is in our own hands, determined by how we in fact respond to the Teacher and what He imparts to us. Jesus reemphasizes this last point in His final exhortation to "those who have ears," *i.e.*, open minds.

Opening our minds and hearts to God *is* our central task in life — denigrated, as I say, by the left's attempt to shift attention from the *lessons* of Scripture to their reliability. Sow not seed, but doubt (pardon the pun) and you have changed the subject, which is enough for the left.

All this, the Disney-History-Fantasy Channel tries to achieve by calmly, tacitly denying — out-of-hand, without firing a shot, so to speak — the essential Christian premise that listening and responding to God is self-evidently our duty and in no sense a fit subject for false concerns over "sources" (as if the left cared an iota about the validity of sources!) *This* source must be above such questioning because if it is not, nothing really important about the Bible's message can ever be reached at all. We will be forever bogged down, as atheists intend, in preliminary haggling.

A related point was made by Andrew Klavan (author of the recently-published book *Empire of Lies),* in an article headed "Why Are We Whispering?" in, of all places, the *Washington Post.* "The left," Klavan wrote, "has somehow succeeded in convincing the rest of us that there is virtue in a culture of lies, that some truths should not be spoken and that if you speak them you are guilty of racism or sexism or some other kind of bigotry. Right-wingers may disagree philosophically with this sort of political correctness, but I think they may have incorporated some of its twisted values psychologically and walk in fear of seeming 'offensive' or 'insensitive.'"

This strained worry about giving "offense" or showing "insensitivity" is as bogus as the false fussiness that sees "no evidence" where the Bible alone supplies it. In every case, our proper concern for one of the First Things — truth — is crowded out. As always, the point for the left is to change the subject; for conservatives, it is never to lose sight of the First Things. CPR

John Kurzweil is CPR's *editor.*

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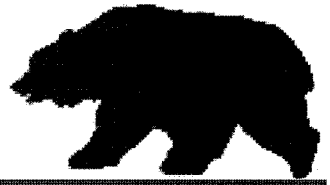

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